

## **Kelley's Corner Working Group Report**

October 2000

### ***Summary***

This report is provided to the Planning Board and the Board of Selectmen as the output from the Kelley's Corner Working Group which was formed two years ago to investigate issues related to development of Kelley's Corner and to make recommendations to the Planning Board regarding initiatives to be brought to the town. The working group operated within the goals and objectives of the Kelley's Corner Plan as well as the Master Plan update, and sought to identify issues of concern, and to reach consensus on recommendations regarding potential redevelopment within Kelley's Corner in the context of the Kelley's Corner Plan and the Circulation study. The group failed to reach consensus on a set of recommended zoning articles for Kelley's Corner, but it did accomplish a significant amount of work and reached a number of conclusions which are contained in this report. Certain other issues were unresolved, but are also discussed in this report. The group determined that no further progress could be made by continued meetings, and that we would provide this report to the Planning Board for its consideration in terms of the next steps to be taken for the redevelopment of Kelley's Corner.

### ***Objectives of the Working Group***

The original Master Plan designated Kelley's Corner and four village districts as areas to be studied separately. In 1994, the Kelley's Corner Committee was formed by the Planning Board to develop recommendations for the Kelley's Corner area. The committee was composed of approximately twenty members representing a cross section of the town, including members of the Board of Selectmen, School Committee, Planning Board, and various other citizens. A consultant was hired to assist the committee in the development of a Kelley's Corner plan. The Kelley's Corner plan was completed and published in June 1995.

In 1996 the town approved various zoning articles that were a result of the Kelley's Corner Plan. In addition, the town approved funds for a study of circulation and traffic in the area and over the next year, the consultant developed a Circulation plan. In 1998 a series of zoning articles were proposed by the Planning Board to implement recommendations in the Circulation plan. The major thrust of the 1998 proposed zoning articles was to increase the maximum floor area ratio (FAR) from 0.40 to 0.60, to modify setback and height requirements, to permit changes in road widths and road rights of way, to make parking modifications and to stimulate the use of transfers of development rights (TDRs). A copy of the proposed zoning articles is attached as Appendix A to this report.

During the late winter of 1998, opposition to the proposed zoning changes arose among the residents as well as certain members of the Board of Selectmen who felt that a moratorium should

be placed on further zoning changes until various issues were studied further. In addition, the newly formed Transportation Advisory Committee (TAC) indicated concerns regarding the potential traffic generation impacts of some of the zoning proposals.

The Kelley's Corner Working Group (KCWG) was formed in June 1998 at the request of the Board of Selectmen. This working group was formed to look into these issues and to try to develop a consensus set of recommendations to the Planning Board with regard to future zoning changes in the Kelley's Corner District. At the same time, the Planning Board was in the midst of updating the Master Plan, and it was felt that it made most sense to await the conclusion of the Master Plan update before proposing any additional changes. This working group was a smaller group than the original Kelley's Corner Committee and included members of the Board of Selectmen, Planning Board, Transportation Advisory Committee (TAC), Finance Committee, and local residents as shown below:

Richard Croswell	-	Planning Board
John Pavan	-	Planning Board (retired from committee)
Peter Ashton	-	Board of Selectmen
Rene Robbins	-	TAC
Ed Gardner	-	TAC
Chuck Olmstead	-	Finance Committee
Gena Manalan	-	resident
Vin Vullo	-	resident (retired from committee)
John teDuits	-	resident
Ken Sghia-Hughes	-	Planning Board (joined to replace Mr. Pavan)

The Working Group met initially and reaffirmed the goals and objectives of the Kelley's Corner Plan<sup>1</sup> as follows:

**Economic Development:** accommodate and encourage commercial and industrial development that serves the needs of the Town of Acton and its residents.

**Aesthetics and Town Character:** ensure that the new development and redevelopment reflects and reinforces the character of Acton.

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<sup>1</sup>The Kelley's Corner Plan was the outgrowth of a two-year planning effort by the Kelley's Corner Planning Committee. The goal of this effort was to develop a comprehensive growth and development plan for Kelley's Corner which would facilitate concentrated economic growth, create an attractive business center and generate revenue for the Town as well as address traffic and pedestrian safety concerns and environmental issues.

**Circulation and Traffic:** provide for safe and efficient circulation throughout the Kelley's Corner Planning Area.

**Wastewater Management:** provide adequate wastewater treatment capacity for existing and planned development.

**Environmental Protection:** protect the area's natural resources.

In 1996, the Town approved various zoning changes to make the area a mixed-use, compact-development center intended to provide a pedestrian-friendly environment and moderate density increases were approved. The Planning Board also believed it was desirable to examine whether even higher density increases should be allowed. The Kelley's Corner area had been identified as one area in which increased commercial development was feasible. Additional commercial development has been identified as a desirable objective in order to diversify and expand the town's tax base. A more detailed traffic and circulation study was commissioned in 1996 and completed in early 1997 in response to concerns regarding traffic impacts of moving to 0.6 FAR zoning.

The KCWG started its work with the advantage of several prior studies and the experience of various members who had participated in these planning efforts. Nevertheless, the KCWG believed that it was desirable to revisit issues related specifically to (1) economic development; traffic and circulation; and (3) financial impacts of various redevelopment scenarios. The primary focus of the KCWG has been on the "retail core" portion of the District even though the Kelley's Corner plan and the zoning bylaws do define this area more broadly.

### ***KCWG Review and Analysis Process***

Appendix B lists the meetings held by the KCWG, beginning in June 1998. Early on, the group conducted a fact-finding investigation and determined that more information was required as to what incentives might be most appropriate to bring developers to Kelley's Corner and drive the desired redevelopment efforts. The group decided that it would be most appropriate to contact various "disinterested" developers<sup>2</sup> to determine what incentives would be necessary to attract developers to redevelop Kelley's Corner in the manner envisioned by the Kelley's Corner Plan. In addition, the KCWG prioritized the various goals and objectives, indicating that economic development, traffic and circulation, and aesthetics were the three goals that required the most discussion and deliberation. Also the TAC reported its initial findings indicating concerns regarding the traffic impacts of moving to a 0.60 FAR, the ripple effects of increased traffic in the KC area, parking issues, and the importance of controlling usage as a means of controlling traffic impacts.

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<sup>2</sup>By "disinterested" we mean developers who had current no interest, financial or otherwise, in the development or redevelopment of Kelley's Corner, and who could provide an objective view of the incentives required to push redevelopment at Kelley's Corner.

During the late summer and early fall of 1998, our meetings focused on the developer surveys and initial results, as well as development of "fatal flaw" criteria which were defined as outcomes or issues that were unacceptable to the group or, in other words, a type of "sanity check" on what might be proposed for Kelley's Corner. In addition, town staff provided input on FAR levels in other communities' business centers.

### ***Developer Surveys***

The developer surveys and interviews focused on eliciting information on the range and mix of uses in Kelley's Corner, the extent of development needed to make it profitable from the developers' perspective, implications of allowing different densities in different areas in the same district, use of transferable development rights (TDRs), practicality of scale of development, public vs. private incentives, and any other advice the developer might provide. Based on conversations with four developers, certain common themes emerged:

1. Thought should be given to revising and expanding the permitted uses in the Kelley's Corner District.
2. Consideration should be given to mixed use alternatives.
3. The primary engine for redevelopment would be the construction of sewers in the district.
4. The scope of the area is large and a quadrant by quadrant approach to development makes some sense.
5. Traffic mitigation and adequate parking are essential for development.
6. The use of TDRs can make sense; a single, blanket FAR for the district may not make sense.
7. The town should consider building flexibility into its zoning so development can be expeditious.
8. A flexible approach to zoning including expanded use of special permits would speed the development process.
9. Public incentives such as tax breaks should *not* be used as a primary inducement for redevelopment of the Kelley's Corner District.

Based on these findings, the KCWG decided to revisit the permitted uses in the Kelley's Corner District as well as focus on financial projections of development in the District to determine the amount of development that would be necessary to meet town fiscal revenue projections from

commercial and industrial development as well as what would make sense from a developer's perspective. The group also agreed that a quadrant by quadrant approach to redevelopment had considerable merit.

### ***Fatal Flaw Criteria***

The KCWG drafted its "fatal flaw" criteria which were intended to reflect outcomes or issues which we believe could not be tolerated in Kelley's Corner. It was believed that these criteria would be used to assess the impacts of any proposals regarding the District. Although the group did not reach consensus on a final list, the following is a draft working list of these "fatal flaw" criteria:

1. Zoning changes should not create a traffic safety hazard by stacking traffic back to Route 2 (westbound) on Rte. 111.
2. Zoning changes should provide the needed incentives for developers.
3. Any zoning changes must reflect residents' vision of Acton.
4. Pedestrian safety must not be jeopardized by increased traffic that redevelopment might bring (particular concern was raised with regard to the proximity to the school campus).
5. Any proposals for the district must meet the objectives of the KC Plan.
6. Redevelopment/development must be oriented to improve pedestrian circulation and access.
7. The circulation component of the plan must address existing and future traffic growth.

### ***FAR Levels in Other Town Center Areas***

Town staff provided input regarding FAR levels in other communities including Concord, Lexington, and Wellesley. It was found that Lexington center has an average FAR of 1.0 with a maximum of 2.0; Wellesley has multiple business districts with FARs ranging from .27 to 1.2, but have instituted new zoning limits of .3 to try to deal with severe parking problems. Finally, Concord does not use FAR as a zoning or development tool, but town staff research suggests that the average FAR in downtown Concord is .57 with individual parcels ranging from 0 to 2.82. The overriding concern in all three communities was that parking was insufficient and was the major constraint on further development in these business districts. In contrast, the Kelley's Corner District has an average FAR of .14, with parcels ranging from 0.0 to as high as .29. The Kelley's Corner area does not currently have the density of development as measured by floor area ratio that these other downtown centers contain, yet Kelley's Corner is considerably larger in scope than these other areas.

### *Financial Analysis of Kelley's Corner Redevelopment in Light of the Master Plan Update*

During the late fall and winter months of 1998-1999, the KCWG concentrated on reviewing the permitted uses for the District, developing appropriate financial and fiscal models of development for the district, especially in light of the final draft of the Master Plan update, and continued review and analysis of traffic and density issues. The KCWG reviewed the Master Plan update in the fall which called for more emphasis on commercial and industrial development as a means of diversifying the town's tax base. The update contains a goal of increasing the amount of commercial/industrial tax revenue as a percent of total tax revenue to 20 percent throughout the town within five years. Currently, commercial/industrial tax revenue represents about 14 percent of the town's tax base. Although the group accepted the 20 percent goal, it was felt that the five year time horizon was overly aggressive and focused its analysis on a longer time horizon of between 10 and 20 years.<sup>3</sup>

The KCWG focused much of its efforts on various "models" that could be used to predict the amount of development (or redevelopment) necessary to meet the Master Plan Update goals. As part of this analysis, the group worked with the buildout projections which were provided in the Master Plan update including commercial/industrial buildout for the Kelley's Corner District. These estimates including the various financial models are provided in Appendix C to this report. The purpose of these analyses was to estimate:

1. The likely additional tax revenue that could be achieved if the District reached full buildout at 0.4 FAR and 0.6 FAR, given various assumptions about necessary infrastructure improvements.
2. Given the goals of the Master Plan and assuming that Kelley's Corner would be expected to contribute its fair share of commercial/industrial development, what amount of development in terms of square footage would be required to meet these goals over various time horizons (5, 10, 15, and 20 years).
3. The implications for density level zoning, i.e., maximum FAR levels, given the answers to these questions.

Three "models" were developed and presented to the group for review and discussion. Input from the Finance Committee (Fincom) as a whole was also requested.<sup>4</sup> Each of the models

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<sup>3</sup>Nevertheless, the group recognized that the current economic "boom" period will not last forever, and it makes sense to try to take advantage of this boom period in whatever ways possible.

<sup>4</sup>Fincom supported the concept of increased development at Kelley's Corner as a means of diversifying the tax base, and stressed the need for a focused plan for development of the area.

approaches the issue of development slightly differently, yet the KCWG found them useful, and the Fincom representative provided input on their usefulness as well. The general consensus emerging from these models was that the additional buildout necessary for Kelley's Corner to meet its share of the Master Plan update's goal for additional buildout town-wide was in the range of 350,000 to 450,000 square feet depending on how long one assumes it will take to meet this objective. The resulting incremental tax revenues were estimated to range from \$400,000 to \$650,000. An alternative approach which focused on redeveloping only two quadrants of Kelley's Corner (SW and SE) concluded that additional tax revenue of \$450,000 could be generated if buildout of 0.4 FAR was achieved. Finally, the third model which presented both costs and benefits to added development at Kelley's Corner predicted that the net fiscal benefit of full buildout of Kelley's Corner at 0.4 FAR would be \$1.3 million and \$1.6 million at 0.6 FAR. This was later modified based on the assumption of the formation of an Economic Development Industrial Commission (EDIC) to indicate an even greater financial benefit at 0.6 FAR due to a significant reduction in infrastructure costs that would be borne by the town. Incremental tax revenues on the increased buildout portion would be \$465,000 at 0.4 FAR and \$793,000 at 0.6 FAR and total fiscal benefit could exceed \$2 million.

### ***Traffic Impacts***

The Transportation Advisory Committee (TAC) provided input to the working group through its representatives and in the form of a memorandum regarding the traffic study contained in the Circulation Plan. In the meetings, the TAC noted that the high-density buildout would lead to higher density traffic. Increased trip generation in the area would have an adverse impact on other areas of town as well as people sought alternative routes to avoid congestion at the intersection of Routes 27 and 111.

The TAC voted in May 1999 that the Circulation plan "adequately addresses the transportation and circulation requirements necessary to redevelop Kelley's Corner. . . ." In particular, the TAC noted that the Circulation plan envisioned the widening of the Rt. 27/111 intersection and this would accommodate increased traffic generated by FAR levels of 0.5 and 0.6, the TAC did recommend that road widenings be minimized to 11 foot maximum as a means to calm traffic, and that the corner radii be reduced to shorten pedestrian crossing where feasible.

In addition, the TAC concluded that the urban village concept meets the project objectives of "buildings on the street and parking in the rear." The proposed village streets will help distribute traffic to the various destinations in and around Kelley's Corner. The TAC did note that concerns have been raised about the intersection of the village street and Beverly Road and the possibility for increased traffic through a residential neighborhood. As development proceeds in Kelley's Corner, and elements of the Circulation plan are implemented, detailed design alternatives must be developed for this intersection to prevent increased traffic in the neighborhood.

The TAC concluded that based on the available land in the district, sufficient parking would be available to support an FAR of 0.5 to 0.6 (without structured parking). Finally, the TAC recommended that as improvements to the KC District are implemented, transportation elements be evaluated on a project by project basis. A copy of the TAC memorandum is attached as Attachment D to this report.

In addition, during the period the group was meeting, money was appropriate to improve the traffic signals and lane markings at the Routes 27/111 intersection. These changes have been implemented, and are anticipated to improve traffic congestion at this intersection.

### *Review of Permitted Uses*

One other significant portion of work performed by the KCWG involved review of the permitted uses within the Kelley's Corner District and recommended changes to such uses. The developer surveys had noted that the permitted uses required review and if possible, broadening, and the working group concluded that various changes in the permitted uses could have a beneficial effect. The KCWG suggested various changes to the Table of Permitted Uses for the District which are included as Appendix E to this report. Donna Jacobs of the Planning Department provided comments and suggestions on these recommendations which are included as part of Appendix E. The proposed changes would allow certain uses that had previously necessitated a special permit, eliminate a few "undesirable" uses, and maintain many of the permitted uses.

The Group also raised issues regarding current regulations applicable to noise, lighting, screening in general, and special Zoning Bylaw requirements in the District as well as the burial of overhead wires. Burial of overhead wires has been considered only once in Acton, and was found to be quite expensive (\$250,000 for Acton Center). It also requires a public hearing regarding the safety, health, convenience or welfare benefits of burial of overhead wires, as well as a subsequent town meeting vote. However, new construction in surrounding towns often bury utilities as part of the redevelopment plan. Current zoning bylaws regulate noise, lighting and screening and the Kelley's Corner District Zoning Bylaws provide additional regulations regarding screening, sidewalks, landscaping, and other aesthetics (building design). The KCWG expressed concern that if significant redevelopment in the area does occur regulations be in place to ensure that the area not become oversaturated with neon and the rules regarding signage that currently apply to the village districts also apply to Kelley's Corner.

### *Conclusions of the KCWG*

The KCWG came to the following conclusions and recommendations for consideration by the Planning Board:



- ▶ All planning issues related to Kelley's Corner should continue to be driven by the goals and objectives of the *Kelley's Corner Specific Area Plan*. This includes the five major goals listed above as well as the objectives contained in that report.
- ▶ Redevelopment of Kelley's Corner is an important element of increasing tax revenue in light of the Master Plan Update's goal of increasing commercial and industrial tax revenue in Acton. The various financial models investigated by the KCWG suggest that considerable tax revenue increases can be realized with full buildout at as low as 0.2, but also at 0.4, 0.5, and 0.6 FAR. The KCWG recognizes, however, that such full buildout nor the Master Plan Update goal of increasing the commercial and industrial tax base is likely to occur within the next five years.
- ▶ Implementation of the Middle Fort Pond Brook Sewer District and the consequent sewerage of Kelley's Corner is the most important economic "driver" for redevelopment of Kelley's Corner.
- ▶ There is a clear trade-off between economic redevelopment of Kelley's Corner and generation of additional traffic. Although the Circulation Plan adequately addresses potential traffic impacts, the TAC advises that as redevelopment to the Kelley's Corner area is considered and implemented, transportation elements should be evaluated with specific proposals. In particular the Circulation plan should be revised to remove any tie-in to Beverly Road. ]
- ▶ Assurances should be in place that increased traffic generation will be mitigated to the extent possible and the Kelley's Corner area will be a "pedestrian friendly" area.
- ▶ A quadrant by quadrant approach to redevelopment at Kelley's Corner may make sense, depending on the sequence of development. 200mg 1000 ?
- ▶ Strong consideration should be given to mixed use developments due to their less severe traffic impacts, potential for shared parking and other desirable components.
- ▶ The permitted uses for the Kelley's Corner District should be evaluated by the Planning Board along the lines recommended by the KCWG (see Appendix E).
- ▶ Transferable Development Rights (TDRs) may be one mechanism to permit flexibility in zoning to meet developer's needs.
- ▶ Tax incentives (tax breaks) do not work as an incentive for developers and should not be used, especially given the desire for increases in commercial and industrial tax revenue.
- ▶ Examine ways in which utilities might be buried, noise may be screened, and appropriate visual screening can be applied.

- ▶ Near residential areas, consider limiting the maximum height of lighting to 10' to 12' and examine the impact of the color of lights.
- ▶ Limit hours of operation, particularly the timing of delivery trucks.
- ▶ Change the sign by-law to be consistent with the village districts.

### ***Unresolved Issues***

The KCWG did not reach agreement on certain issues, the most important of which related to potential zoning changes to the recommended floor area ratio (FAR) limit for the district. Various members of the group expressed concerns about going beyond the current limit of 0.4 FAR due to traffic and other issues such as pedestrian safety, neighborhood impacts, and aesthetics. Others stated that moving to a maximum limit of 0.5 or 0.6 (or even higher with the use of TDRs) was necessary to provide the economic incentive for developers to implement the type of projects necessary to redevelop the District. The 0.6 FAR limit had been included in the original Kelley's Corner Plan, but had not been included in the 1996 zoning articles taken to Town Meeting due to concern over traffic which had led to the additional study performed in the Circulation Plan completed in early 1997.

*The key issue which the group divided over was the determination of the set of incentives that was believed to be necessary to attract the type of development to Kelley's Corner. The group debated whether an increase in the maximum FAR was the key incentive or were there other viable incentives that could be proffered. The KCWG never reached agreement on this issue.*

Other unresolved issues related to the proper role of the Economic Development Committee (EDC). Certain members of the group voiced the opinion that the EDC should be brought in to assist in the consideration and development of the economic incentives necessary to bring redevelopment to Kelley's Corner especially given the current role of the EDC regarding economic development throughout Acton. Others were less committed to having the EDC play a role. The group ultimately did not engage the EDC in any formal meetings, although several members of the group do believe that the EDC should focus on Kelley's Corner as a target for commercial growth and redevelopment and that a marketing plan be developed for Kelley's Corner. The Fincom stated in its review that a marketing or business plan should guide the redevelopment of Kelley's Corner. Such a plan should be the responsibility of the EDC and the Planning Board, and Kelley's Corner should be included in the EDC and Planning Board's review of various incentives for economic development in Acton. We recognize that the EDC and the Planning Board are working on other issues related to economic development, and perhaps Kelley's Corner should be added to that list.

**Appendix A**

**1998 Proposed Zoning Changes to Kelley's Corner**

**ARTICLE 40 KELLEY'S CORNER DISTRICT AMENDMENTS - DIMENSIONAL REGULATIONS**  
(2/3 Vote Required)

To see if the Town of Acton will vote to amend section 5 of the Zoning Bylaw as set forth in this article (*Notes in italic print are not part of the article but are intended for explanation only*):

- A. In the Table of Standard Dimensional Regulations of section 5 delete the line next to KC and replacing it with a new line as follows (*Note: the current dimensional regulation is indicated in italic print and brackets wherever changes are proposed*):

ZONING DISTRICTS	MINIMUM LOT AREA in sq. ft.	MINIMUM LOT FRONTAGE in feet	MINIMUM LOT WIDTH in feet	MINIMUM FRONT YARD in feet	MINIMUM SIDE & REAR YARD in feet	MINIMUM OPEN SPACE in percent	MAXIMUM FLOOR AREA RATIO	MAXIMUM HEIGHT
KC	10,000	100	50	see footnote (17) [30]	NR (18) [NR]	NR	0.20 (15) [0.40 (15)]	40 [36]

and add the following new footnotes (17) and (18) as follows:

(17) The minimum front yard measured from the sidelines of Massachusetts Avenue (Rt. 111), 1907 State Highway Layout, shall be 22 feet. The minimum front yard measured from the easterly sideline of Main Street (Rt. 27), 1953 County Layout north of Rt. 111 and 1958 County Layout south of Rt. 111, shall be 26 feet. The minimum front yard measured from the westerly sideline of Main Street (Rt. 27), 1953 County Layout north of Rt. 111 and 1958 County Layout south of Rt. 111, shall be 16 feet. The minimum front yard measured from the sideline of any other STREET shall be 4 feet.

(18) Where a business or industrial USE abuts a Residential District the minimum side or rear yard shall be 20 feet.

- B. In the Table of Standard Dimensional Regulations of section 5 delete footnote (15) and replace it with a new footnote (15) as follows:

(15) The FLOOR AREA RATIO may be increased above 0.20 subject to special provisions and a special permit as set forth in Section 5.6 and its sub-sections.

*Note: Footnote (15) currently reads as follows:  
(15) Subject to certain provisions in Section 5.6, Special Provisions for the Kelley's Corner District.*

- C. Delete the lead-in paragraph of section 5.6.3 and replace it with the following new paragraph:

5.6.3 In the KC District the FLOOR AREA RATIO may be increased above 0.20, up to a maximum FLOOR AREA RATIO of 0.60, by a special permit from the Board of Selectmen and subject to the following standards and requirements:

*Note: The lead-in paragraph of section 5.6.3 currently reads as follows:  
5.6.3 The following standards shall apply on all LOTS in the KC District where the FLOOR AREA RATIO exceeds 0.20:*

*Note: Section 5.6.3 and its subsections currently contains 2 1/2 pages of standards and requirements for sidewalks, other pedestrian amenities, driveways, parking lots, building design, and infrastructure contributions. Some of them will be amended and added to in this and in subsequent articles.*

- D. In sections 5.6.3.4.a), b), e), i), k), and o), and in section 5.6.3.5, replace the words "Site Plan Special Permit Granting Authority" with "Special Permit Granting Authority".

or take any other action relative thereto.

## SUMMARY

If adopted, this article will facilitate the redevelopment of Kelley's Corner as envisioned in the Kelley's Corner Specific Area Plan and the Kelley's Corner Business District Circulation Plan. It makes changes to the required front setback dimensions and increases the maximum height of buildings. In addition, it will increase the development potential of the Kelley's Corner District by raising the maximum Floor Area Ratio (FAR).

This is the first of six articles that will implement the zoning recommendations of the Kelley's Corner Business District Circulation Plan. The Plan report may be viewed at the Acton Planning Department during regular business hours. The Circulation Plan is the second phase of the Town's Kelley's Corner planning efforts. It was funded by a 1996 Town Meeting appropriation of \$50,000, following adoption of the Kelley's Corner Specific Area Plan recommendations. The goal was to seek reasonably scaled traffic and circulation solutions in the Kelley's Corner Business District that would support additional business growth.

The Circulation Plan concludes that additional business growth can be accommodated with adjustments to the Kelley's Corner Business District zoning regulations and with certain improvements to the street system, including:

- widening of the major arteries (Main Street and Massachusetts Avenue) to a 4-lane cross section primarily to address existing and projected regional traffic demand;
- creation of local streets, called Urban Village Streets in the plan, to better serve local businesses while reducing driveway cuts along the major arteries; and
- extensive pedestrian facilities to encourage walking in the Kelley's Corner Business District.

The recommendations are summarized in the Kelley's Corner Urban Village Concept Plan that depicts graphically the conceptual circulation improvements and the land development patterns that are necessary to support the additional growth. It is important to implement the zoning aspects of the Plan now, so that future growth occurs in coordination with the Circulation Plan.

Specifically, in parts A and B this article will make four changes in the Table of Standard Dimensional Regulations for the Kelley's Corner District:

- Minimum Front Yard: The front yard setback requirements will be adjusted from 30 feet district wide to variable setbacks depending on the street and street side that the front yard abuts. This will facilitate the design and placement of buildings as recommended in the Kelley's Corner Plans while being cognizant of the need for widening existing streets and for additional street rights of way in future years.
- Minimum Side and Rear Yard: A new minimum side and rear yard requirement of 20 feet will be added where a business or industrial use abuts a residential district. This is consistent with the existing requirement under section 10.4.3.5.3), which provides for landscaped buffers of at least 20 feet to abutting residential districts.
- Maximum Floor Area Ratio (FAR): The maximum FAR will be 0.20 by right, but it may be increased to 0.60 by special permit and subject to a list of design requirements in section 5.6 of the zoning bylaw. The 0.60 FAR is one and one half times the amount that is currently allowed under the special design requirements of section 5.6. The Circulation Plan assumed an average maximum build-out of the Kelley's Corner Business District of FAR 0.60 and demonstrates how traffic can be managed in a denser environment.
- Maximum Height: The maximum building height will be increased by 4 feet to accommodate 3-

story buildings comfortably. This increase in height is consistent with the proposed increase in the maximum floor area ratio.

Parts C and D introduce a discretionary special permit for all developments that exceed FAR 0.20, to give the Town better control over site development at higher densities. It is the intent that this special permit will be processed and administered concurrently with the site plan special permit, which is also required.

Adoption of this article is unlikely to affect municipal finances in the short term. However, adoption of this article should encourage, in the longer term, new businesses and business expansions in the Kelley's Corner District area and, if combined with the following five articles, result in overall aesthetic and functional improvements. Business growth in the Kelley's Corner District would increase the Town's tax revenues from commercial real estate sources.

Direct inquiries to: Roland Bartl, AICP, Town Planner - 264-9636  
Selectman Assigned: Wayne Friedrichs

**Selectmen:** Recommendation Deferred  
**Finance Committee:** Recommended  
**Planning Board:** Recommended

**ARTICLE 41 KELLEY'S CORNER DISTRICT AMENDMENTS - STREET RESERVATIONS,  
URBAN VILLAGE STREETS, AND TRANSPORTATION INFRASTRUCTURE  
FUNDING**  
(2/3 Vote Required)

To see if the Town of Acton will vote to amend section 5 of the zoning bylaw as set forth in this article (*Notes in italic print are not part of the article but are intended for explanation only*):

A. Insert a new section 5.6.3.6 as follows:

5.6.3.6 STREET Rights of Way - The Site Plan Special Permit Granting Authority shall require the reservation of strips of land, which shall not be built upon or used for any purpose except access to the remainder of the LOT, for future STREET rights of way for all purposes for which STREETS and ways are used in the Town of Acton, as set forth below.

a) Along Main Street (Rt. 27) and Massachusetts Avenue (Rt. 111) the additional STREET rights of way shall be as follows:

- 1) 18 feet wide along both sides of Rt. 111 measured from the sidelines of the 1907 State Highway Layout, and adequate roundings at all intersections.
- 2) 22 feet wide along the easterly side of Rt. 27 measured from the sideline of the 1953 County Layout north of Rt. 111 and from the sideline of the 1958 county layout south of Rt. 111, and adequate roundings at all intersections.
- 3) 12 feet wide along the westerly side of Rt. 27 measured from the sideline of the 1953 County Layout north of Rt. 111 and from the sideline of the 1958 county layout south of Rt. 111, and adequate roundings at all intersections.

b) The Special Permit Granting Authority shall also require the reservation of strips of land, which shall not be built upon or used for any purpose except access to the remainder of the LOT, for future Urban Village STREETS in locations generally consistent with those shown on the Kelley's Corner Urban Village Concept Plan that is contained in the Kelley's Corner Business District Circulation Plan of February

1997, as set forth below:

- 1) The strips of land shall be 40 feet wide and shall be widened to 50 feet where they are located within 120 feet of Rt. 27 or Rt. 111, and there shall be adequate roundings at all intersections.
- 2) In approving the location of the Urban Village STREETS the Special Permit Granting Authority shall require the horizontal and vertical alignment of the Urban Village STREETS with existing STREETS, and adequate construction and grading easements to ensure proper and practical connections or continuations to existing or future Urban Village STREETS on adjacent LOTS.
- 3) If an Urban Village STREET will divide LOTS that are undivided at the time of the application for a Site Plan Special Permit, the Special Permit Granting Authority shall encourage a unified site design that integrates the Urban Village STREET as much as possible in the overall site plan. Except for setbacks from the Urban Village STREETS that are required for STRUCTURES and parking lots, zoning compliance shall be determined based on the undivided LOTS in existence at the time of the Site Plan Special Permit application.
- c) Where such additional STREET rights of way are reserved, the FLOOR AREA RATIO on the remaining land shall be calculated by including the rights of way to be granted in the DEVELOPABLE SITE AREA, including any easements granted previously for the same purpose.
- d) The Special Permit Granting Authority may require the conveyance of the STREET rights of way to the Town of Acton, subject to acceptance by Town Meeting. The Special Permit Granting Authority may impose appropriate conditions and require adequate surety to ensure compliance with this requirement.

B. Insert a new section 5.6.3.7 as follows:

5.6.3.7 Urban Village Streets - The Special Permit Granting Authority may require the construction of the Urban Village STREETS, or portions thereof, in the STREET rights of way reserved for this purpose and located on or adjacent to the LOT that is subject to the site plan special permit.

- a) The gravel bases and pavement layers used in the construction of the Urban Village STREETS shall conform with the typical structural section of the Town of Acton Subdivision Rules and Regulations.
- b) All Urban Village STREETS shall feature sidewalks, at least 8 feet wide, on at least one side as determined by the Special Permit Granting Authority.
- c) In all other respects the design of the Urban Village STREETS shall conform with said Subdivision Rules and Regulations to the extent possible and practical as determined by the Special Permit Granting Authority.
- d) When considering development plans, the Special Permit Granting Authority shall give due consideration to the integration of Urban Village STREETS with development sites to avoid duplication of travel lanes within and outside of parking lots, and generally to maximize the efficient and safe use of the sites.
- e) Urban Village STREETS shall be constructed to aligned horizontally and vertically to ensure proper and practical connections or continuations to existing or future Urban Village STREETS on adjacent LOTS.

C. Delete Section 5.6.3.5 in its entirety and replace with:

5.6.3.5 Public Infrastructure Funding Assistance - The Special Permit Granting Authority may

require a contribution in the amount of \$2.50 per square foot of NET FLOOR AREA in excess of a FLOOR AREA RATIO 0.20. Said contribution shall be made to the Town of Acton for deposit into a fund to be used for the following purposes:

- a) The design and construction of new and expanded public STREET infrastructure improvements in the Kelley's Corner District and adjacent areas generally in accordance with the Kelley's Corner Urban Village Concept Plan, including the acquisition of necessary land, rights of way or easements and the payment of any debt incurred by the Town of Acton for such purposes.
  - 1) The contributions towards public STREET infrastructure may be waived or reduced to reflect the cost of new or expanded public STREET infrastructure, including the provision of Urban Village STREETS, that is provided by the owner in the course of site development or redevelopment in accordance with the Kelley's Corner Urban Village Concept Plan and approved by the Special Permit Granting Authority. No reductions shall be given for the construction of sidewalks and other pedestrian amenities required under this bylaw.
- b) The design and construction of a centralized wastewater collection, treatment and disposal system serving the Kelley's Corner District and other areas within the Town of Acton, including the acquisition of necessary land or easements, or for the payment of any debt incurred by the Town of Acton for such purposes.
- c) On any LOT where the FAR existing on or before April 1, 1996 exceeds 0.20, the contributions calculated pursuant this section shall be based on the difference between the existing NET FLOOR AREA and the proposed NET FLOOR AREA.

Note: Section 5.6.3.5 currently reads as follows:  
5.6.3.5 Wastewater Infrastructure - The Site Plan Special Permit Granting Authority shall require a contribution in the amount of \$2.50 per square foot of NET FLOOR AREA in excess of FLOOR AREA RATIO 0.20. Said contribution shall be made to the Town of Acton for deposit into a fund to be used for the design and construction of a centralized wastewater collection, treatment and disposal system serving the Kelley's Corner District and other areas within the Town of Acton, including the acquisition of necessary land or easements, or for the payment of any debt incurred by the Town of Acton for such purposes. On any LOT where the FAR existing on or before April 1, 1996 exceeds 0.20, the contributions calculated pursuant this section shall be based on the difference between the existing NET FLOOR AREA and the proposed NET FLOOR AREA.

- D. In section 5.6.1, second paragraph, delete the third and last sentences and replace them with the following new sentences:

"In order to support the growth and vitality of the center, higher density developments are required to contribute to a fund for the construction of public street improvements and a centralized wastewater collection and treatment system serving the Kelley's Corner District and surrounding areas. The regulations are intended to implement the Kelley's Corner Specific Area Plan, June 1995, as amended, and the Kelley's Corner Business District Circulation Plan, February 1997, as amended.

The Kelley's Corner Business District Circulation Plan establishes a STREET hierarchy that designates Main Street (Route 27) and Massachusetts Avenue (Route 111) as Arterial STREETS and that also designates a number of Urban Village STREETS. It is one of the purposes of these provisions to ensure the future adequacy of the Arterial STREETS and to facilitate the creation of the Urban Village STREETS. The standards for site and building design features vary relative to their disposition to arterial and Urban Village STREETS. Although STREETS are generally exempt from the provisions of this zoning bylaw, the



requirements set forth herein shall apply to all land reserved for Urban Village STREETS, STREETS, and STREET improvements within the Kelley's Corner District."

*Note: The third and last sentences of the second paragraph of section 5.6.1 currently read as follows: In order to support the growth and vitality of the center, higher density developments are required to contribute to a fund for the construction of a centralized wastewater collection and treatment system serving the Kelley's Corner District and surrounding areas. The regulations are intended to implement the Kelley's Corner Plan as amended.*

or take any other action relative thereto.

### **SUMMARY**

In order to achieve the desired changes in the roadway system within Kelley's Corner, the Town will need additional rights of way and contributions from property owners and developers who will benefit from the improvements in Kelley's Corner. This article establishes a street hierarchy within the Kelley's Corner District, requires grants of street rights of way, sets up guidelines for the construction of Urban Village Streets, and requires monetary contributions to the Town for street improvements if a proposed development exceeds a certain size. The Kelley's Corner Business District Circulation Plan provides a solid basis for the engineering design and construction of street infrastructure improvements that are needed as the area develops further.

Part A establishes new requirements for street right of way reservations to accommodate widening of the arterial streets Main Street and Massachusetts Avenue as recommended in the Circulation Plan. With few exceptions, the recommended widening for vehicular travel lanes can be made within the existing layout. The widening of the layout primarily would accommodate the addition of bike lanes and safe pedestrian facilities. Also, Part A requires rights of way for new secondary streets in Kelley's Corner as recommended in the Circulation Plan. In the Circulation Plan, the secondary streets are called Urban Village Streets. This terminology is carried over into the language of this article. The right of way reservations apply only where projects exceed a floor area ratio (FAR) of 0.20.

Part B provides for the construction of Urban Village Streets in the context of development or redevelopment where appropriate, and sets up design guidelines for the construction of Urban Village Streets.

Part C augments the existing development fees towards a sewerage system with fees that will be applied to public street system improvements. The fee applies only to projects that exceed a floor area ratio of 0.20. The total fee, \$2.50 per square foot for each square foot in excess of a floor area ratio of 0.20, is unchanged from the present fee towards a sewerage system. The fee will be reduced or waived where actual infrastructure improvements are provided by development proponents.

Part D amends the purpose section of the Kelley's Corner District provisions. It updates the references to planning documents that the regulations rely upon by including the Kelley's Corner Business District Circulation Plan, and it explains the order of the street hierarchy recommended in the Circulation Plan.

As the previous article, this article is intended to encourage business growth and expansion in the Kelley's Corner District. It will ensure adequate infrastructure development that will be necessary as business growth occurs. Business growth in the Kelley's Corner District would increase the Town's tax revenues from commercial real estate sources.

Direct inquiries to: Roland Bartl, AICP, Town Planner - 264-9636  
Selectman Assigned: Wayne Friedrichs

Selectmen: Recommendation Deferred  
Finance Committee: Recommended  
Planning Board: Recommended

## ARTICLE 42 KELLEY'S CORNER DISTRICT AMENDMENTS - SIDEWALKS AND BUILDING DESIGN

(2/3 Vote Required)

To see if the Town of Acton will vote to amend section 5 of the zoning bylaw as follows  
(Notes in italic print are not part of the article but are intended for explanation only):

A. Delete section 5.6.3.1 and replace it with the following new section:

5.6.3.1 The Sidewalk - Sidewalks shall be installed along the LOT'S FRONTAGE on a STREET or STREETS as follows:

- a) Along the FRONTAGE of the Arterial STREETS, sidewalks shall be at least 10 feet wide. They shall be separated from automobile travel lanes with an 8 foot wide buffer that is planted with shade trees generally at 40-45 foot intervals and with other landscaping elements. The buffer strips may also contain other STREET design elements and may consist in part of on-STREET vehicular parking spaces or bus and taxi loading areas.
- b) Along the FRONTAGE of at least one side of the Urban Village STREETS as determined by the Special Permit Granting Authority. Such sidewalks shall be at least 8 feet wide, but no buffer shall be required to the automobile travel lanes.
- c) All sidewalks shall be installed within the STREET layout or within easements reserved for all purposes for which STREETS and ways are used in the Town of Acton.
- d) All sidewalks shall be installed with concrete walking surfaces and vertical granite curbing. No bituminous concrete surface or curbing shall be allowed. The Special Permit Granting Authority may authorize surface inlays of other materials intended to create interesting designs in walking areas.

Note: Section 5.6.3.1 currently reads as follows:  
5.6.3.1 The Sidewalk - A sidewalk shall be provided along the LOT'S FRONTAGE on a STREET or STREETS. The sidewalk shall be at least 10 feet wide. Sidewalks may be located wholly or partially within the STREET layout. The sidewalk shall be separated from the vehicular roadway with a landscaped buffer at least 10 feet wide, which shall consist of shade trees placed at 40-45 foot intervals and other landscaping or STREET design elements, and which may consist in part of on-STREET vehicular parking spaces.

B. Amend Section 5.6.3.4 as follows:

1. Delete section 5.6.3.4 a) in its entirety and replace it with a new section 5.6.3.4.a) as follows:

- 5.6.3.4 a) At least 60 percent of the FRONTAGE of a LOT facing an Arterial STREET, measured in percentage of linear feet of the LOT FRONTAGE, shall be occupied by BUILDINGS or by a pedestrian plaza that are located within 40 feet of the Arterial STREET sideline. For the purpose of this section the sidelines of Massachusetts Avenue (Rt. 111) shall be defined by its 1907 State Highway Layout, and the sidelines of Main Street (Rt. 27) shall be defined by its 1953 County Layout north of Rt. 111 and its 1958 County Layout South of Rt. 111. A reduction of this requirement to 50 percent of the FRONTAGE of a LOT may be allowed provided

the Special Permit Granting Authority finds that the alternative design features are consistent with Section 5.6.1 of this Bylaw.

Note: Section 5.6.3.4 a) currently reads as follows, with proposed changes noted in bold and by use of strike-through:  
5.6.3.4 a) At least 60 percent of the front side of a LOT facing a ~~STREET~~ **[an Arterial STREET]**, measured in percentage of linear feet of the LOT FRONTAGE, shall be occupied by BUILDINGS or by a pedestrian plaza that are located within 40 feet of the ~~STREET~~ **[Arterial STREET]** sideline. **[For the purpose of this section the sidelines of Massachusetts Avenue (Rt. 111) shall be defined by its 1907 State Highway Layout, and the sidelines of Main Street (Rt. 27) shall be defined by its 1953 County Layout north of Rt. 111 and its 1958 County Layout south of Rt. 111.]** A reduction of this requirement to 50 percent of the front side of a LOT may be allowed provided the ~~Site Plan~~ Special Permit Granting Authority finds that the alternative design features are consistent with Section 5.6.1 of this Bylaw.

2. Delete the first sentence of sub-section 5.6.3.4 c) and replace it with:

"BUILDING facades facing Arterial STREETS or pedestrian plazas, and BUILDING facades facing Urban Village STREETS and situated within 30 feet of such Urban Village STREETS are referred to herein as the BUILDING front(s) or front facade(s)."

Note: Sub-section 5.6.3.4 c) currently reads as follows, with proposed changes noted in bold and by use of strike-through:  
BUILDING facades facing **[Arterial]** STREETS or pedestrian plazas **[, and BUILDING facades facing Urban Village STREETS and situated within 30 feet of such Urban Village STREET are also referred to herein as the BUILDING front(s) or BUILDING front facade(s). Such BUILDING fronts shall have a vertical orientation, meaning either that the BUILDING shall actually have a greater height than width, or that the facades and roof lines of the BUILDING are designed to reduce the massing and bulk so that it appears as a group of smaller masses with a distinct vertical orientation.]**

3. In the last sentence of sub-section 5.6.3.4 d) insert the word "contiguous" between "50" and "feet".

Note: Sub-section 5.6.3.4 d) currently reads as follows, with proposed changes noted in bold:  
The BUILDING front facades shall be articulated to achieve a human scale and interest. The use of different textures, shadow lines, detailing and contrasting shapes is required. Not more than 50 **[contiguous]** feet of a BUILDING front shall be in the same vertical plane.

4. In section 5.6.3.4 n) delete the words "Two or three story BUILDINGS, or two or three story portions of a BUILDING" and replace them with:

"Multistory BUILDINGS, or multistory portions of a BUILDING".

Note: Sub-section 5.6.3.4 n) currently reads as follows, with proposed changes noted in bold and by use of strike-through:  
Roofs shall be gabled with a minimum pitch of 9/12 (9" vertical for every 12" horizontal) and have overhanging eaves of at least one foot. ~~Two or three story~~ **[Multistory]** BUILDINGS, or ~~two or three story~~ **[multistory]** portions of a BUILDING, may have a flat roof provided that the tops of the BUILDING front facades are treated with an articulated cornice, dormers, or other architectural treatment that appears an integral part of the BUILDING from all visible sides of the BUILDING.

or take any other action relative thereto.

## SUMMARY

This article, like the previous one, facilitates the improvements recommended in the Kelley's Corner Plan. In this article, the Town will make changes to the existing design provisions for Kelley's Corner to incorporate the new street hierarchy. The design requirements are only applicable to projects above a certain size as defined by the Bylaw.

Part A of this article modifies the existing sidewalk construction and improvement standards for development projects in the Kelley's Corner District where the floor area ratio exceeds 0.20. The width of the buffer to the roadway along arterial streets is reduced from 10 feet to 8 feet. 8 foot wide sidewalks will be required on Urban Village Streets. Sidewalks must be installed with vertical granite curbing and concrete surfaces like the new sidewalks in West Acton Village, and they must be located within the street layout or appropriate easements.

Part B makes minor modifications to the existing building design requirements. These are helpful clarifications and minor adjustments to accommodate the Urban Village Concept Plan of the Kelley's Corner Business District Circulation Plan.

Like the previous two articles, this article is intended to encourage business growth and expansion in the Kelley's Corner District. It will ensure adequate pedestrian infrastructure development that will be necessary as business growth occurs, and will adjust architectural and site design requirements to enhance the attractiveness of the Kelley's Corner business district.

Business growth in the Kelley's Corner District would increase the Town's tax revenues from commercial real estate sources.

Direct inquiries to: Roland Bartl, AICP, Town Planner - 264-9636  
Selectman Assigned: Wayne Friedrichs

**Selectmen:** Recommendation Deferred  
**Finance Committee:** Recommended  
**Planning Board:** Recommended

## **ARTICLE 43 KELLEY'S CORNER DISTRICT AMENDMENTS - VEHICLE PARKING REQUIREMENTS** (2/3 Vote Required)

To see if the Town of Acton will vote to amend the zoning bylaw as set forth in this Article  
(Notes in italic print are not part of the article but are intended for explanation only):

A. Delete section 5.6.3.3 in its entirety and replace it with:

### **5.6.3.3 Driveways and Parking Lots -**

- a) Except as provided herein, the Special Permit Granting Authority shall require that vehicular ACCESS to all LOTS and parking areas be provided exclusively from Urban Village STREETS. If such ACCESS is not available, the Special Permit Granting Authority may allow one ACCESS driveway directly from an arterial STREET, until such time when vehicular ACCESS is available from an Urban Village STREET. In cases involving approval of a temporary vehicular ACCESS from an arterial STREET, the Special Permit Granting Authority shall require that the parking areas and interior driveways be designed to permit vehicular ACCESS from an Urban Village STREET, and that the arterial STREET ACCESS be closed as soon as vehicular ACCESS is available from an Urban Village STREET.
- b) No driveway or parking lot shall be located in the portion of a LOT that is directly in front of a BUILDING as seen from an Arterial STREET, whether or not the BUILDING is located on the same LOT as the driveway or parking lot, except that a driveway and parking lot may be located in the front of a BUILDING that is located in the rear of another BUILDING when viewed from an Arterial STREET. No driveways or parking lots shall be located between a pedestrian plaza and an Arterial STREET, nor shall any driveway or parking lot intersect or be mixed with a pedestrian plaza.
- c) Vehicular driveways and parking lots may be located to the side and rear of BUILDINGS or to the rear of a pedestrian plaza.
- d) In all other respects driveways and parking lots shall be designed in compliance with sections 6.9.3.5 and 6.9.3.6.

Note: Section 5.6.3.3 currently reads as follows, with proposed changes noted in bold and by use of strike-through:  
5.6.3.3 Driveways and Parking Lots -

a) Except as provided herein, the Site Special Permit Granting Authority shall require vehicular ACCESS to all LOTS and parking areas to be provided exclusively from Urban Village STREETS. If such access is not available, the Site Plan Special Permit Granting Authority may allow one ACCESS driveway directly from an arterial STREET, until such time when ACCESS is available from an Urban Village STREET. In cases involving approval of a temporary ACCESS from an arterial STREET, the Site Plan

**Special Permit Granting Authority shall require the parking areas and interior driveways to be designed to permit ACCESS from an Urban Village STREET and closure of the arterial STREET ACCESS in the future.**

**ab) No driveway or parking lot shall be located placed in the portion of a LOT that is directly in front of a BUILDING as seen from an Arterial STREET, whether or not the BUILDING is located on the same LOT as the driveway or parking lot, except that a driveway and parking lot may be located placed in the front of a BUILDING that is located in the rear of another BUILDING when viewed from an Arterial STREET. No driveways or parking lots shall be located between a pedestrian plaza and an Arterial STREET, nor shall any driveway or parking lot intersect or be mixed with a pedestrian plaza.**

**bc) Vehicular driveways and parking lots may be located to the side and rear of BUILDINGS or to the rear of a pedestrian plaza.**

**ed) In all other respects driveways and parking lots shall be designed in compliance with sections 6.9.3.5 and 6.9.3.6.**

B. Delete section 6.9.3.5 and replace it with the following new sections:

6.9.3.5 Design Requirements for Parking Lots - Off-STREET parking spaces, except parking spaces serving a single or two FAMILY residential USE, shall be either contained within a BUILDING or STRUCTURE or subject to the following requirements:

- a) Required parking spaces, ACCESS driveways, and interior driveways shall be provided and maintained with suitable grading, paved surfaces, adequate drainage, and landscaping as required in Section 6.9.3.6.
- b) ACCESS, interior and common driveways for two-way traffic shall be twenty four feet (24') wide. The ACCESS, interior and common driveways for one-way traffic shall be fourteen (14') feet wide.
- c) Set-Backs - Except where parking lots established in accordance with Section 6.9.3.4 cross over LOT lines, all parking spaces and paved surfaces other than ACCESS driveways or common driveways shall be set back a minimum of five (5) feet from any LOT lines. In addition, no parking spaces and paved surfaces other than ACCESS driveways or common driveways shall be located within the minimum front yard set forth in the Table of Standard Dimensional Regulations or within 20 feet of an abutting residential zoning district.

6.9.3.6 Landscaping Requirements for parking lots - Parking lots shall include a landscaped area equal to a minimum of five percent (5%) of the area of the parking lot.

- a) Shade trees - One shade tree shall be provided for each two thousand (2000) square feet or less of pavement area. Each shade tree shall be from a deciduous species rated for U.S.D.A. Hardiness Zone 5 that is expected to reach at least 20 feet in height at maturity; be seven (7) feet in height with a trunk caliper size of at least 3/4 inches at the time of planting; and be surrounded by a landscaped area of one hundred square feet (100 sq. ft.) to accommodate the root system of the tree. Additional landscaping may be required by a Special Permit Granting Authority to better screen the parking lot from the STREET and adjacent USES.
- b) Perimeter Planting Strip - Parking lots adjacent to STREETS, sidewalks, paths or ACCESS driveways shall include a perimeter planting strip at least seven and one-half (7.5) feet wide. However, if the planting strip is protected from vehicular damage through the use of planting beds that are raised above the surface of the parking lot at least twelve (12) inches or through the use of bollards or balustrades, the width of the planting strip may be reduced to five (5) feet. Said planting strip shall feature a physical separation between the parking lot and adjacent ways of at least two and one-half (2.5) feet in height. This physical separation may be created through the use

of plantings, walls, or fencing (other than chain link or smooth concrete) or a combination of plantings and fencing. No more than twenty percent (20%) of this perimeter planting strip shall be impervious.

- c) Plantings - Plantings for landscaped areas shall include a mixture of flowering and decorative deciduous and evergreen trees and shrubs and shall be planted with suitable ground cover.
- d) Sight Distance - All landscaping along any STREET FRONTAGE shall be placed and maintained so that it will not obstruct sight distance.
- e) Protection of Landscaped Areas - Landscaped areas shall be planted and protected in such a manner that the plantings will not be damaged by vehicles.

Note: Section 6.3.9.5 currently reads as follows:  
*6.9.3.5 Design Requirements and Landscaping - Off-STREET parking spaces, except spaces serving a single or two FAMILY residential USE, shall either be contained within a BUILDING or STRUCTURE, or be provided in accordance with the design requirements of Section 6.7 including all its subsections. In addition, no parking space or other paved surface, other than walkways and bike ways, shall be located within 20 feet of an abutting residential zoning district.*

or take any other action relative thereto.

### SUMMARY

At present, the zoning bylaw requirements for the design of parking lots in Kelley's Corner are the same as those required for large-scale office and industrial parks. This article will establish parking lot design regulations for Kelley's Corner that are similar to those already in existence for West Acton Village and South Acton Village. They result in less landscaping volume but more flexibility in landscaping design. In addition, the article will encourage access to parking lots from the Kelley's Corner Urban Village Streets and discourage direct access from Routes 111 and 27.

Part A of this article amends section 5.6.3.3, which prescribes the placement of parking lots and buildings on a site in the Kelley's Corner district. Adjustments are made to regulate the location of vehicular lot access and to reflect the street hierarchy in Kelley's Corner and to refer the reader to the revised and new sections 6.9.3.5 through 6.9.3.7, which are introduced in Part B of this article.

Consistent with the recommendations of the Kelley's Corner Business District Circulation Plan, Part B seeks to shift vehicular access to business properties in Kelley's Corner from the multiple curb cuts along the arterial streets Rt. 111 and Rt. 27 to new access points along the future Urban Village Streets. Furthermore, it revises driveway, parking lot design and landscaping requirements for developments in the Kelley's Corner District. The regulations will accommodate more parking spaces in a smaller area while ensuring adequate landscaping, screening and planting of shade trees. The proposed regulations largely mirror the standards established in recent years for the West and South Acton Villages.

Like the previous three articles, this article seeks to encourage business growth and expansion in the Kelley's Corner District. It shifts site access away from the major thoroughfares to safer locations along the secondary Urban Village Streets, and provides parking lot design and landscaping requirements that are more appropriate for a denser business center. Business growth in the Kelley's Corner District would increase the Town's tax revenues from commercial real estate sources.

Direct inquiries to: Roland Bartl, AICP, Town Planner - 264-9636  
Selectman Assigned: Wayne Friedrichs

Selectmen: Recommendation Deferred  
Finance Committee: Recommended  
Planning Board: Recommended

**ARTICLE 44 KELLEY'S CORNER DISTRICT AMENDMENTS - TRIP GENERATION AND FLOOR AREA LIMITS**  
(2/3 Vote Required)

To see if the Town of Acton will vote to amend the zoning bylaw as set forth in this Article:

- A. In section 3.9.1 delete the first two sentences and replace them with the following (*Notes in italic print are not part of the article but are intended for explanation only*):

"No PRINCIPAL USE which would have an anticipated average peak hour generation in excess of 1,000 vehicle trip ends or an average weekday or Saturday generation in excess of 7,500 vehicle trip ends shall be allowed. PRINCIPAL USES in the Kelley's Corner (KC) District shall be exempt from the forgoing limitation. In all zoning districts, any PRINCIPAL USE which would have an anticipated average peak hour generation in excess of 500 vehicle trip ends or an average weekday or Saturday generation in excess of 4,000 vehicle trip ends shall be required to receive a special permit from the Board of Selectmen."

*Note: The first two sentences of section 3.9.1 currently read as follows, with proposed changes noted in bold:*  
*No PRINCIPAL USE which would have an anticipated average peak hour generation in excess of 1,000 vehicle trip ends or an average weekday or Saturday generation in excess of 7,500 vehicle trip ends shall be allowed. [PRINCIPAL USES in the Kelley's Corner (KC) District shall be exempt from the forgoing limitation. In all zoning districts,] Any PRINCIPAL USE which would have an anticipated average peak hour generation in excess of 500 vehicle trip ends or an average weekday or Saturday generation in excess of 4,000 vehicle trip ends shall be required to receive a special permit from the Board of Selectmen.*

- B. Insert a new section 5.6.2.4 as follows:

5.6.2.4 Maximum Floor Area of Businesses and Industries - The maximum NET FLOOR AREA of a separately owned or operated business or industrial establishment shall not exceed 80,000 square feet.

or take any other action relative thereto.

**SUMMARY**

The type and size of businesses within Acton are regulated by a special provision of the Bylaw that prohibits a business or business center if it generates more than a specified amount of traffic. This amendment will remove the prohibition in the Kelley's Corner District thereby allowing larger business complexes to locate in Kelley's Corner and capture consumers that travel through Kelley's Corner on a daily basis. At the same time the size of an individual business will be capped.

Part A: Section 3.9.1 sets maximum vehicle trip generation limits on land uses of the same kind on all lots in Acton. If adopted, this article will remove this limit within the Kelley's Corner zoning district. The existing threshold for special permit review will remain intact. This proposal is consistent with the increase in the maximum floor area ratio proposed in a separate article. A higher floor area ratio and the possibility for assembly of many smaller parcels into fewer larger



development sites could result in a higher trip generation rate from land uses in a business center on one lot than is currently allowed. Removing this maximum limit will encourage more efficient and integrated site design in the future development and redevelopment of Kelley's Corner. A higher degree of coordination and integration of business locations at Kelley's Corner would enhance the implementation of the Kelley's Corner Specific Area and Business District Circulation Plans, and would allow for more efficient traffic management. Overall, future vehicle trips generated from within the Kelley's Corner district would be about the same, with or without the trip generation limit for individual project sites. The only difference would be whether the traffic is generated from fewer, better integrated business locations or from a greater number of smaller, less-coordinated facilities.

Part B: The maximum trip generation limit that Part A proposes to remove for the Kelley's Corner business district would in most instances prohibit a "big box" retail development. To substitute for this prohibition, while allowing for larger business centers, Part B of this article proposes a maximum floor area limit of 80,000 square feet for individual businesses. This will still allow fairly large stores, but will keep out the "big box" retail businesses that typically require a larger floor area.

This article augments the previous four articles. It encourages business growth and expansion in the Kelley's Corner district at a scale that is more in keeping with the small business character that prevails in Acton, while encouraging larger business centers with multiple tenants. Business growth in the Kelley's Corner District would increase the Town's tax revenues from commercial real estate sources.

Direct inquiries to: Roland Bartl, AICP, Town Planner - 264-9636  
Selectman Assigned: Wayne Friedrichs

**Selectmen:** Recommendation Deferred  
**Finance Committee:** Recommended  
**Planning Board:** Recommended

#### **ARTICLE 45 KELLEY'S CORNER DISTRICT AMENDMENTS - VARIABLE DENSITY PROVISIONS** (2/3 Vote Required)

To see if the Town of Acton will vote to amend section 5 of the zoning bylaw by inserting a new section 5.6.4 as follows:

##### **5.6.4 Variable Density Provisions for the Kelley's Corner District.**

5.6.4.1 Purpose - These provisions are intended to permit flexible density levels for individual LOTS in the Kelley's Corner District, while maintaining an overall ceiling on total NET FLOOR AREA. The purpose of allowing variable density levels is to permit further clustering of USES in a compact urban pattern, while limiting total traffic generation and providing for sufficient OPEN SPACE and off-STREET parking areas. The provisions set forth herein should be interpreted as permitting the Transfer of Development Rights within the Kelley's Corner District, and not as permitting an overall increase in the total amount of maximum development in the Kelley's Corner district.

##### **5.6.4.2 Transfer of Development Rights within the Kelley's Corner District**

- a) For a LOT in the Kelley's Corner District the Board of Selectmen may grant a Special Permit for the Transfer Development Rights to another LOT within the Kelley's

Corner District. The effect of such Special Permit shall be to permit an increase in NET FLOOR AREA on a LOT above the total amount otherwise permitted by:

- (i) the applicable maximum FLOOR AREA RATIO set forth in the Table of Standard Dimensional Regulations, and
  - (ii) if applicable, any Certificate of Development Rights previously transferred to the LOT from within the Kelley's Corner District.
- b) Any such increase in NET FLOOR AREA on a LOT shall not result in a FLOOR AREA RATIO in excess of 0.80.
  - c) Any such increase in NET FLOOR AREA shall be compensated by an equal reduction in the maximum NET FLOOR AREA permitted on another LOT in the Kelley's Corner District, from which such development rights are transferred.
  - d) Any LOT that receives development rights in accordance with this section shall be subject to the requirements of section 5.6.3, including all its sub-sections.

5.6.4.3 Standards of Review - In deciding on the merits of a proposal for Transfer of Development Rights within the Kelley's Corner District, the Board of Selectmen shall consider the following criteria and objectives:

- a) Increased density on a LOT shall enhance the implementation of the Kelley's Corner Specific Area and Business District Circulation Plans. Density increases hereunder shall be granted only where they are compatible with the Urban Village Concept envisioned in the aforementioned plans. The implementation of this provision shall facilitate the development of a viable and pedestrian-friendly business center at Kelley's Corner.
- b) The Transfer of Development Rights shall serve a public purpose on the LOT from which development rights are to be transferred, by providing vehicular parking, public open space, parks or playgrounds, additional buffers to abutting residential districts, or other amenities that are a benefit to the public.
- c) The Board of Selectmen shall grant a Special Permit hereunder only if it can make appropriate findings that the criteria and objectives of a) and b) are promoted by granting the transfer.

5.6.4.4 Administration

- a) Determination of Development Rights for Affected LOTS - Before granting a Special Permit under Section 5.6.4, the Board of Selectmen shall determine the Development Rights for all LOTS to be affected by the proposed transfer. The Special Permit shall specify the total development rights for each LOT, expressed in NET FLOOR AREA as computed in Section 10.4.3.8 of this Bylaw, less any Development Rights previously removed from such LOTS. The application for a Special Permit under this Section shall contain sufficient information to permit the Board of Selectmen's determination of the Development Rights that may be transferred.
- b) The Board of Selectmen shall require that upon transfer of the Development Rights authorized in its special permits, the owner of a LOT from which development rights have been removed, shall file with the Middlesex South District Registry of Deeds or the Land Court (as applicable) an irrevocable restrictive covenant, approved by the Board of Selectmen, running with the land, permanently restricting the development of the LOT. The covenant shall restrict the LOT by the amount of development rights transferred to another LOT, permitting only the amount of development rights

that remain on the LOT, if any, all as specified in the Special Permit authorizing the transfer.

- c) Implementation of Transfer - Following the approval of a Special Permit under this Section, the applicant shall complete the transfer procedures set forth in Sections 5.4.4 and 5.4.5, except that the formulas in Section 5.4.4.2 shall not apply to transfers within the Kelley's Corner District.

or take any other action relative thereto.

### **SUMMARY**

This amendment proposes that the Town allow transfers of development rights (TDR) within the Kelley's Corner district as a tool to provide additional development flexibility. TDR allows a greater amount of development on some parcels in exchange for a proportionately lower amount of development on other parcels. The provision is similar to the established TDR procedures in the zoning bylaw for other zoning districts.

The maximum increase in density on a lot through TDR will be limited to a Floor Area Ratio (FAR) of 0.80. This is two points above the standard density of FAR 0.60 as proposed in another zoning article of this warrant. This increased flexibility will facilitate the creation of additional parks, open spaces and public parking lots within Kelley's Corner and in general supports and enhances well coordinated development efforts. With this mechanism, development rights can be traded among land owners like real property. Lots from which development rights are sold will be deed restricted to allow only the remaining development rights, if any, to be realized on the lot. Lots that have taken on additional development rights are similarly documented. A special permit process administered by the Board of Selectmen will ensure that the public interest is served and that the purposes of this provision are met. The transfer of development rights is a previously established tool in the zoning bylaw that may be used in the North and East Acton Village Districts and the Limited Business District. Therefore, administrative procedures and requirements are already established and will also apply in the Kelley's Corner District.

Like the previous five articles, this articles is intended to encourages business growth and expansion in the Kelley's Corner district. The added flexibility gained with TDR will enhance and encourage efficient site layout and design and overall user friendliness in the Kelley's Corner District. Business growth in the Kelley's Corner District would increase the Town's tax revenues from commercial real estate sources.

Direct inquiries to: Roland Bartl, AICP, Town Planner - 264-9636  
Selectman Assigned: Wayne Friedrichs

**Selectmen:** Recommendation Deferred  
**Finance Committee:** Recommended  
**Planning Board:** Recommended

## **Appendix B**

### **Meetings of the Kelley's Corner Working Group**

June 10, 1998  
June 22, 1998  
July 7, 1998  
August 4, 1998  
September 4, 1998  
September 30, 1998  
October 14, 1998  
November 4, 1998  
November 18, 1998  
December 16, 1998  
January 27, 1999  
February 11, 1999  
March 11, 1999  
April 11, 1999  
May, 1999  
July, 1999

## **Appendix C**

### **Buildout and Financial Models**

TOWN OF ACTON  
ZONING DISTRICT PROFILE

BUILDOUT ESTIMATES

PRIMARY ZONING DISTRICT	RESIDENTIAL BUILDOUT			NONRESIDENTIAL BUILDOUT		
	EXISTING DWELLING UNITS	BUILDOUT DWELLING UNITS	CHANGE	EXISTING FLOOR AREA	BUILDOUT FLOOR AREA	CHANGE
<b>RESIDENTIAL DISTRICTS</b>						
Residence 2	4,020	6,177	2,157	61,807	-	(61,807)
Residence 4	526	666	140	-	-	-
Residence 8	363	530	167	12,410	-	(12,410)
Residence 8/4	113	670	557	1,190	-	(1,190)
Residence 10	4	23	19	6,224	-	(6,224)
Residence 10/8	87	596	509	-	-	-
Residence A	1,553	1,562	9	57,520	-	(57,520)
Residence AA	65	70	5	-	-	-
Village Residential	155	185	30	2,056	-	(2,056)
<b>VILLAGE DISTRICTS</b>						
South Acton Village	33	-	(33)	70,082	134,808	64,726
West Acton Village	46	-	(46)	117,664	257,772	140,108
North Acton Village	7	-	(7)	101,918	289,665	187,747
East Acton Village	81	-	(81)	111,007	231,471	120,464
<b>OFFICE DISTRICTS</b>						
Office Park 1	1	-	(1)	794,619	1,266,873	542,254
Office Park 2	9	6	(3)	284,932	779,853	494,921
<b>BUSINESS DISTRICTS</b>						
General Business	7	-	(7)	166,769	236,653	69,884
Limited Business	15	-	(15)	702,470	1,154,724	452,258
Kelley's Corner	2	-	(2)	310,122	874,024	561,902
<b>INDUSTRIAL DISTRICTS</b>						
Light Industrial	1	-	(1)	248,024	395,047	47,023
General Industrial	42	42	-	637,208	1,088,593	451,385
Light Industrial 1	-	-	-	260,216	322,985	62,769
Industrial Park	-	-	-	40,008	273,845	233,837
Small Manufacturing	6	-	(6)	684,248	1,079,523	395,275
<b>SPECIAL DISTRICTS</b>						
Agricultural Recreation Conservation	-	-	-	-	-	-
Planned Conserv. Residential Communi	130	135	5	-	-	-
<b>Totals for All Zoning Districts</b>	7,266	10,662	3,396	4,700,494	8,383,840	3,683,346

Note: Negative numbers in the "Change" columns indicate that existing dwelling units in a nonresidential district are assumed to be replaced by nonresidential buildings, or vice versa, in accordance with the purpose and regulations of the applicable zoning district.

**ACTON PLANNING DEPARTMENT**  
**Inter-departmental Memo**  
**264-9636**

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**To:** Richard Croswell  
Peter Ashton

**Date:** 3/18/99

**From:** Donna Jacobs, Assistant Planner

**Subject:** Fiscal Analysis of Kelley's Corner Buildout, Revised

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As requested, I have taken another look at the conservative fiscal analysis prepared last Fall. Prior to commencement of this review, I cautioned that there may be some items that need further consideration before a final analysis can be completed. These issues are raised in the following paragraphs.

Phasing of Infrastructure Improvements

The planned improvements to the traffic signal at the Rt 27 intersection with Rt 111 will increase the level of service from F to D (2 steps). VHB, Acton's consulting engineer, has recently completed a plan of the recommended improvements. The original cost estimate for the signal upgrade and pavement markings was \$33,000. Engineering Administrator David Abbt has advised that the total cost will be approximately \$50,000 due to the higher than expected cost of the signal controller. However, once this improvement has been completed, the intersection should not require further upgrade until the average FAR of the Kelley's Corner District is 0.60.

TAC has recommended the widening of Rt 27 at 0.3 FAR. I would suggest a counter to this recommendation that calls for the widening of Rt 27 at an FAR of 0.4, primarily because the Kelley's Corner Plan calls for sidewalks on both sides of Rt 27 at 0.4. While meeting with David Abbt, we discussed the idea that the Working Group may want to consider the widening of Rt 27 from the Private Rd to Rt 2 (see Layout of Arterial Roads, Route 27 below). IF the sidewalks were located within an easement on the redeveloped parcel, the widening of Rt 27 could be postponed until the KC District reaches an average FAR of 0.6.

A caution; to maximize the use of developer contributions, it may not be possible to cover the total cost of the infrastructure improvements if some money is used to construct sidewalks that would then have to be removed when the roadway is widened. Except as noted above, the required infrastructure improvements can be made as recommended in the Kelley's Corner Plan.

Eminent Domain Takings

A basic premise of the Kelley's Corner Circulation Plan is that infrastructure improvements will not be needed until redevelopment occurs. Once needed due to redevelopment, they will be facilitated through zoning. The 1998 proposed ZBL amendments would institute a required reservation of land for street rights of way (ROW) as a condition of any site plan special permit issued where the FAR exceeds 0.2. Simultaneously, the proposed amendments would create a revenue source to fund the cost of the improvements.

Close examination of the existing structures on both sides of Rt 27 and Rt 111 and the proposed street layouts (see section below) indicates that eminent domain takings may not be necessary because parcel assembly is virtually certain to occur with redevelopment. The ZBL has been amended (Section 8.8) to stipulate that takings will not reduce conformity with zoning.

Theoretically, it may be possible to attain an average FAR of 0.4 in the KC District without redevelopment of the parcels on the east side of Route 27. If this were to occur and the widening of Rt 27 is planned at an FAR of 0.4 instead of 0.6 as recommended in the Kelley's Corner Plan, eminent domain takings of the 2 abutting residential properties may be required. The present assessed value of these parcels (F-3/93 and F-3/106) totals \$268,900. In addition, there would be a small reduction in the assessed value of all parcels from which the ROW is needed. This would amount to approximately \$75,000 including \$10,000 for related surveying and legal fees. An Economic Development Industrial Commission (EDIC) could be used to acquire and reassemble the parcels, thereby reducing the eminent domain costs to a minimal amount, if any.

It is unlikely, in my opinion, that an average FAR of 0.6 could be attained without redevelopment of the parcels along Rt 111 because the bulk of the development potential resides along Rt 111. The south side of Rt 111 has the potential for an additional 440,000 square feet whereas the north side has only 106,000 square feet.

### Layout of Arterial Roads

#### Route 27

Following the concept plan described in the Kelley's Corner Plan, the ROW for Route 27, a town road except at the intersection of Rt 111, would be widened from its present 50' layout to an 84' layout. 22' would be added on the easterly side and 12' on the westerly side. This 84' layout uses (4) 12' travel lanes, (2) 10' sidewalks, and (2) 8' landscaped areas. Since the creation of the concept plan, the state now requires bike lanes on all state numbered roads whenever roadway improvements are made. This would add another 12' (two 6' bike lanes) making the ROW 96', just 4' less than the ROW for Rt 2.

The Town may have some discretion in the width of the travel lanes on Rt 27, but only for that portion located outside of the state layout and only if state or federal funds aren't used. In these circumstances, (4) 11' travel lanes could be used. In addition, the KC Working Group could reconsider the width of the landscape areas and/or sidewalks. For instance, a combined sidewalk/landscaped area of 10' could be employed. If both were utilized, the layout could be reduced to 76'.

Removing 22' (28' with bike lane) from the east side of Rt 27 would require redevelopment of the Exxon station and the Sunoco station. Much of the parking for Quill & Press would be lost. If these parcels are assembled with the 2 abutting residential properties as discussed in "Eminent Domain Takings" above, the commercial lots could be reconfigured and the uses retained. Redevelopment of the "upper" portion of Acton Plaza, Combined Financial and Acton Medical would also be required due to loss of parking.

The anticipated widening of 12' on the west side of Route 27 will allow all present uses to continue in place. If another 6' is added for the bike lane, there will be a serious, perhaps insurmountable, problem with the historic Hosmer House. Parking problems for the Redstone Condominiums and the law office would also result from the additional width needed for bike lanes.

#### Route 111

Rt 111 is a state highway located in a 60' layout. Because it is a state highway, the Town does not have the option of reducing the travel lanes to 11' on Rt 111. The 1998 proposed ZBL amendments would require that 18' be reserved for street ROW on both sides of Rt 111 making the total layout 96' in width. However, the Working Group could also reconsider the width of the landscape areas and/or sidewalks along Rt 111. A combined sidewalk/landscaped area of 10' could be employed that would reduce the layout to 80' which in turn reduces the required reserve strip to 10'.



Over the past few months, I have attended numerous forums and workshops on sprawl and transportation issues with representatives from all levels of government, Federal to local. The subject of creating new Federal standards for developed areas has been raised at almost every meeting and has been flagged by the EPA as one issue to be addressed in the new Federal mandate to control sprawl. New standards may be established that would reduce the present AASHTO (American Association of State Highway and Transportation Officials) standards to something more appropriate for suburban and urban areas instead of the present "one size fits all" that is based on undeveloped land. At the same meetings, there has been much discussion about the State law requiring 6' bike lanes. Any relaxation of either of these standards, is likely to be beneficial to Acton, and the KC District in particular.

#### Fiscal Implications

As discussed above, I have made the following changes to my previous fiscal analysis.

- withdrawn the cost of eminent domain takings
- corrected the traffic signal cost for Rt 27 at Rt 2 to reflect the need for 2 signals
- removed the cost for sidewalk construction

These changes result in a reduction of the total cost of improvements from \$2,372,200 (\$1,552,200 plus \$820,000 that may be covered by State/Federal funds) to \$1,553,000 with no State/Federal funds required.

The revenue portion of the fiscal analysis prepared last Fall remains unchanged. It shows revenues in the amount of \$753,753 once the FAR reaches 0.4. The revised analysis shows the cost of infrastructure improvements at \$665,000 at 0.4, leaving a surplus. The required improvements for the KC District at 0.6 FAR are \$855,000. The anticipated revenues are almost double, \$1,670,900, which hopefully would be sufficient to cover inflation at that future date.

If you have any questions, please do not hesitate to call me.

FAR	Improvement	Cost	Funding Source	Net Cost	Net Cost by FAR
0.2	Rt 27/111 intersection traffic signal upgrade	\$30,000	FY98 funds	\$30,000	
0.2	Rt 27/111 intersection pavement markings [1]	\$3,000	FY98 funds	\$3,000	\$33,000
0.4	Widen Rt 27 to 4 lanes from Beverly Rd to Private Rd [2]	\$500,000	Fed/State or		\$50,000
0.4	Construct sidewalks along Rt 27 [3]	\$0	Developer		
0.4	Rt 27/Private Rd intersection traffic signal	\$95,000	Developer		
0.4	Rt 27/Beverly Rd intersection traffic signal	\$70,000	Developer		
0.4	Eminent domain cost for Rt 27 widening [4]	\$0			
0.6	Widen Rt 111 to 4 lanes from Charter Rd to Private Rd	\$500,000	Fed/State or		
0.6	Construct sidewalks along Rt 111 [3]	\$0	Developer		
0.6	Rt 111/Private Rd intersection traffic signal	\$95,000	Developer		
0.6	Eminent domain cost for Rt 111 widening	\$0			
0.6	Rt 27/111 intersection traffic signal upgrade	\$50,000	Developer		
0.6	Rt 111/Charter Rd intersection traffic signal	\$70,000	Developer		
0.6	Rt 27/Rt 2 intersection traffic signal (2 locations)	\$140,000	Developer		
	Total Cost	\$1,553,000		\$33,000	\$33,000

[1] Improvements will increase the LOS (2 steps) from F to D.

[2] 1999 Improvements increase LOS to D, additional improvements shouldn't be needed until the average FAR of the KC District is 0.40

[3] Sidewalk construction is included in roadway widening

[4] If 0.4 FAR is attained without redevelopment of the east side of Rt 27, parcels (F-3/93 and F-3/106) may need to be taken by eminent domain. Current value of both is \$268,900. In addition, there would be a small reduction in the assessed value of all parcels from which the ROW is needed. This would amount to approximately \$75,000 including \$10,000 for related surveying and legal fees. An Economic Development Industrial Commission (EDIC) could be used to acquire and reassemble the parcels and thereby reduce the eminent domain costs to a minimal amount, if any.

**Road Widenings**

\_\_\_\_\_

Route 27	Eminent domain taking	Voluntary sales (4)
(4)		

12' (Favel lanes) (1)  
KC Plan calls for 84' ROW;  
KC Plan calls for 84' ROW;

NO. 1	10' sidewalks (Z)	10' sidewalks (Z)	10' sidewalks (Z)

10' sidewalks (2)

8' landscaped areas (2)

(Need to add (2) 6' bike lanes per state law minimum)

to acquire by eminent domain

\$135,500

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1-30-1-2	\$366,400
E 3/105 Sunoco	

1-3/100	\$223,700
2/113 Meineke	

---

10' sidewalks (2) and landscaping combined

10. Stewards (2) and

to acquire by eminent domain;

If 76' ROW is used, the ROW will not

\$223,700

(10%) \$149,050

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SH 15

Mr. Levine & Gordon will not be affected because

F-3/86-1 D'Agostine, Levine & Gordon  
East side of Rt 27

widening could occur on east side of rd.

\*Section 8.8 of ZBL states that taking will not result in

\_\_\_\_\_ will be obtained during \_\_\_\_\_

If 7B1 is amended as proposed, ROW will be obtained during \_\_\_\_\_, if amendment occurs \_\_\_\_\_.

Special Permit process at no cost as development occurs \$135,500

\$135,300

\$135,400

000'c/£

Parcel_ID	Acres	DSA	NR_FA	LandVal	ImprovVal	TotalVal	Value/S.F.	Value@.4	Value@.6
F3 081000	0.38	16,610	2,034	\$145,300	\$68,700	\$214,000	\$33.78	\$369,706	\$481,910
F3 082000	3.61	157,470	19,032	\$565,100	\$1,173,500	\$1,738,600	\$61.66	\$4,448,897	\$6,390,795
F3 086001	0.28	12,330	3,336	\$133,800	\$93,300	\$227,100	\$27.97	\$271,736	\$340,704
F3 089000	3.1	135,301	27,466	\$335,700	\$784,900	\$1,120,600	\$28.58	\$1,882,307	\$2,655,610
F3 093000	0.21	9,105	0	\$94,400	\$41,100	\$135,500	39.54	\$238,405	\$310,407
F3 094000	0.48	20,984	6,000	\$147,100	\$194,400	\$341,500	\$32.40	\$419,053	\$555,029
F3 095000	0.52	22,825	2,060	\$148,000	\$162,700	\$310,700	\$78.98	\$869,093	\$1,229,639
F3 097000	0.81	35,089	4,920	\$124,200	\$294,500	\$418,700	\$59.86	\$964,339	\$1,384,409
F3 098000	8.3	361,823	105,126	\$1,099,100	\$2,750,800	\$3,849,900	\$26.17	\$4,886,185	\$6,779,727
F3 102000	1.03	44,867	1,710	\$156,600	\$59,400	\$216,000	\$34.74	\$780,012	\$1,091,719
F3 103000	1.06	46,174	6,628	\$165,800	\$301,400	\$467,200	\$45.47	\$1,005,682	\$1,425,623
F3 105000	0.58	25,265	1,248	\$198,900	\$167,500	\$366,400	\$134.21	\$1,555,263	\$2,233,445
F3 106000	0.24	10,389	0	\$95,100	\$38,300	\$133,400	\$39.54	\$259,412	\$341,569
F3 107000	0.09	4,061	0	\$6,300	\$0	\$6,300	\$39.54	\$70,529	\$102,643
F3 108000	1.72	74,872	27,095	\$439,700	\$978,500	\$1,418,200	\$36.11	\$1,521,261	\$2,062,042
F3 113000	0.34	14,794	3,617	\$144,500	\$79,200	\$223,700	\$21.90	\$274,075	\$338,863
F3 116000	6.41	279,219	68,404	\$1,028,500	\$2,145,100	\$3,173,600	\$31.36	\$4,530,942	\$6,282,164
F3 117000	0.32	14,000	1,612	\$144,100	\$81,700	\$225,800	\$50.68	\$427,921	\$569,832
F3 118000	1.24	54,014	7,582	\$158,200	\$160,100	\$318,300	\$21.12	\$614,420	\$842,529
F3 118001	5.3	230,868	1,916	\$188,700	\$262,700	\$451,400	\$137.11	\$12,850,292	\$19,181,087
F3 121000	1.18	51,401	14,864	\$184,500	\$246,100	\$430,600	\$16.56	\$524,914	\$695,121
F3 121001	0.81	35,370	3,770	\$153,500	\$91,900	\$245,400	\$24.38	\$498,381	\$670,821
F3 121002	0.39	17,164	0	\$116,400	\$0	\$116,400	\$0.00	\$116,400	\$116,400
F3 127000	1.06	46,174	1,576	\$164,200	\$105,000	\$269,200	\$66.62	\$1,394,725	\$2,009,988
F3 128000	1.32	57,499	6,884	\$158,800	\$156,600	\$315,400	\$22.75	\$682,006	\$943,609
F3 134000	1.3	56,628	4,398	\$157,900	\$157,000	\$314,900	\$35.70	\$966,504	\$1,370,805
Totals		1,834,296	321,278	\$6,454,400	\$10,594,400	\$17,048,800		\$42,422,460	\$60,406,491
Annual Property Tax Revenues									
Existing		\$312,164							
4 FAR		\$776,755							
6 FAR		\$1,106,043							
Acronym Legend									
				DSA	developable site area				
				NR_FA	existing non-residential floor area				
				NR_BO 2.4.6	buildout floor area at 2.4.6				
				Value/S.F.	(Estimated values are based on building value divided by sq. ft.)				
Other Revenues (one time only)									
*Infrastructure contribution @.4			\$753,753						
*Infrastructure contribution @.6			\$1,670,900						
*current bylaw requires contribution for sewer only; needs to be modified									



Cost of Capital Improvements									
FAR	Cost of Improvement	Breakdown of Costs							
.2 FAR	\$33,000	\$30,000	signal upgrade						
		\$3,000	lane markings						
		\$0	\$33,000	encumbered funds from FY98					
.4 FAR	\$197,500	\$95,000	signal for intersection of private road at Route 27						
		\$95,000	signal for intersection of private road at Route 111						
		\$7,500	construct sidewalks on both sides of Route 27 and 111 @ \$10 per linear foot						
		\$197,500							
.6 FAR	\$1,157,200	\$70,000	signal at Beverly Road & Route 27						
		\$70,000	signal on Route 27 at Route 2 ramps						
		\$70,000	signal at Route 111 and school access drive						
		\$80,000	25% design cost for reconstruction and widening of Route 27/111 intersection improvement						
			\$900,000 total cost, \$820,000 from federal/state funds						
		\$50,000	new signal equipment for reconstructed intersection						
		\$817,200	eminent domain takings for roadway widening*						
		\$1,157,200	\$227,100 F-3/86-1 D'Agostine, Levine & Gordon						
			\$366,400 F-3/105 Sunoco						
			\$223,700 F-3/113 Maineke						
			\$817,200 * 100% of assessed property value						
	Total Capital Costs at Buildout	\$1,552,200							

001000  
DRAFT, FYE.  
WE HAVE NOT  
REVIEWED.

# ACTON PLANNING DEPARTMENT

## Inter-departmental Memo

264-9636

DRAFT

To: Don P. Johnson, Town Manager

*D. Jacobs*

Date: 10/30/98

From: Donna Jacobs, Assistant Planner

Subject: Fiscal Analysis of Buildout

*John - As distributed to EDC*

*1/22/99*

*D. Jacobs*

Attached please find an analysis of the buildout for the Kelley's Corner District as requested by the Kelley's Corner Working Group. I have examined the increased development potential (additional floor area), expected revenues, costs of municipal services, and the costs of anticipated capital improvements necessitated by the additional development. It should be noted, however, that full buildout is unlikely to occur due to development constraints on the land in the district and surface parking requirements.

### Buildout Analysis

The Buildout Analysis, page 1 of 4, describes the existing conditions within the Kelley's Corner District and includes the following basic information:

- parcel identification number (a combination of the Map and Parcel numbers);
- land area of the parcel (in acres);
- amount of developable land area (in square feet);
- existing non-residential floor area;
- floor area ratio (ratio of existing non-residential floor area to developable site area);
- dwelling unit count;
- buildout at 0.40 and 0.60 FAR;
- property tax classification code;
- street address, and
- notes that describe how the land is used.

At present, the district includes 2 residential dwelling units and 321,278 square feet of non-residential floor area. The average floor area ratio for the district is 0.13 (shown in the row entitled "totals" in *italic font*).<sup>1</sup>

The buildout assumes that all of the parcels will be converted to non-residential use, resulting in the loss of 2 dwelling units. The spreadsheet shows the non-residential floor area at three levels of development, existing, 0.40 and 0.60 FAR. The buildout at 0.40 FAR is 712,652 square feet, an increase of 391,374 square feet over existing conditions. At 0.60 FAR, the buildout is 1,100,577 square feet, an increase of 779,299 square feet over existing conditions.

### Fiscal Analysis, Revenue

Page 2 of 4, "Fiscal Analysis, Revenue", includes the existing valuation of each parcel (or combination of parcels, as appropriate) and projected valuation at various buildout levels. This

<sup>1</sup> It is important to note that in 4 instances I have combined parcels under common ownership for the purpose of these analyses. Parcels have only been combined where the existing development density relies on the area of 2 or more of the parcels. Shaded cells denote the combined parcels.

spreadsheet shows the expected annual revenues from property taxes at buildout and the one-time only revenue that results from required contributions over time from developers for infrastructure improvements.

### Property Tax Revenue

Using the current property valuations, I calculated the value per square foot of the present floor area for each parcel. This value was used to calculate the value of each parcel with additional floor area at two levels, 0.40 and 0.60 FAR.<sup>2</sup> At present, the Town receives \$312,164 annually in property taxes from properties in the Kelley's Corner District. When the floor area reaches 0.40 FAR, the expected property tax revenue is \$782,275 annually (calculated at present tax rate of \$18.31). At 0.60 FAR, the expected property tax revenue is \$1,114,048 a year.

### Other Revenue

Once the floor area of a parcel exceeds 0.20 or the existing floor area, whichever is greater, the Zoning Bylaw requires the payment of additional fees that will be used for infrastructure improvements. Under present rules, these fees can only be used to defray sewer costs. Because the sewer costs are now being paid through the sewer district fees, this provision of the Zoning Bylaw is proposed to be modified to defray infrastructure improvement costs. Once development of the Kelley's Corner District has reached 0.40 FAR, \$752,740 will have been contributed for infrastructure improvement. At 0.60 FAR, the additional revenue collected will be \$1,669,888. Please note that these contributions can be waived or reduced if improvements are made by the developers.

### Fiscal Analysis, Cost of Services

On page 3 of 4, I have calculated the additional costs of municipal services (excluding education) for each FAR level using the proportional valuation method developed by Robert Burchell and David Listokin<sup>3</sup>. This methodology has been upheld in state and federal courts and is widely used as the method of choice for non-residential projects when there is no direct impact upon schools.

To determine the present cost of municipal services, I took the total municipal expenditures (excluding education) of \$13,000,000 and multiplied it by the commercial portion of the total property valuation, 15.3%. Using this approach, the cost of providing municipal services to all of Acton's non-residential property is \$1,989,000. By using the present assessed value of all commercial property, \$208,164,942, I was able to calculate the cost of services per dollar of commercial property value to be \$0.0096.<sup>4</sup>

The present value of all parcels within the Kelley's Corner District is \$17,048,800. Using the present valuation and the rate of \$0.0096 per dollar of valuation, the Town presently spends \$163,668 servicing the district (excluding education costs for the 2 dwelling units in the district). When development in the Kelley's Corner District reaches 0.40 FAR, the cost of municipal services will reach \$246,481. At 0.60, the cost of municipal services will increase to \$420,431.

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<sup>2</sup> At present, there are 4 parcels that report "0" under the non-residential floor area column (NR\_FA). Two of these parcels are vacant and 2 contain single family dwellings. For 3 of these parcels, I used the average square foot value, \$39.54, plus the present land value to calculate the value of the parcels at 0.40 and 0.60 FAR. For the remaining vacant parcel, F-3/121-2, I followed the method for the other 3 parcels, but added \$30,000 to the present land value so it would be comparable to similar sized parcels within the district.

<sup>3</sup> Fiscal Impact Handbook, Burchell & Listokin

<sup>4</sup> Also refer to Section 9, 1998 Acton Economic Development Plan, by UMass Center for Economic Development



### **Fiscal Analysis, Cost of Capital Improvements**

The final spreadsheet page, page 4, outlines the costs of anticipated capital improvements. These cost figures were drawn from the Kelley's Corner Final Circulation Plan. I have divided the capital improvements into three categories based on level of development (FAR). The Town is currently working to implement the signal upgrade and lanes marking for the Route 27/111 intersection (shown on the spreadsheet at Current FAR).

The improvements allocated to FAR levels 0.40 and 0.60 have been drawn directly from the Circulation Plan with two exceptions. The first exception is the inclusion of the total assessed value of three properties adjacent to the intersection in the event the Town will need to exercise its power of eminent domain. I have also included 25% of the assessed value of the NYNEX property at the intersection for the same reason.

The second exception is the inclusion of costs for construction of village streets and sidewalks. Although it is logical to assume that most of the costs of constructing the village streets and sidewalks along those streets will be born by the developer, the town may choose to participate in their construction. This may become necessary to complete components of the circulation system in areas that have not yet under-gone redevelopment. To provide you with the most conservative approach, I have included 100% of the costs of constructing the village streets and the sidewalks on the village streets. I have included 50% of the cost of constructing sidewalks on both sides of Mass. Ave. and Main St. By using this approach, the infrastructure contributions predicted on the "Fiscal Analysis, Revenue" spreadsheet (page 2 of 4) will be realized. As proposed, the zoning bylaw amendment allows a credit for infrastructure improvements constructed by the developer.

Cc: Kelley's Corner Working Group  
EDC  
Planning Board

dmj:word\\KC\Working Group\fiscal analysis of buildout

## Buildout

Acton Planning Department

Parcel_ID	Acres	DSA	NR_FA	LandVal	ImprovVal	TotalVal	Value/S.F.	Value@.4	Value@.6
F3 081000	0.38	16,610	2,034	\$145,300	\$68,700	\$214,000	\$33.78	\$369,706	\$481,910
F3 082000	3.61	157,470	19,032	\$565,100	\$1,173,500	\$1,738,600	\$61.66	\$4,448,897	\$6,390,795
F3 086001	0.28	12,330	3,336	\$133,800	\$93,300	\$227,100	\$27.97	\$271,736	\$340,704
F3 089000	3.1	135,301	27,466	\$335,700	\$784,900	\$1,120,600	\$28.58	\$1,882,307	\$2,655,610
F3 093000	0.21	9,105	0	\$94,400	\$41,100	\$135,500	39.54	\$238,405	\$310,407
F3 094000	0.48	20,984	6,000	\$147,100	\$194,400	\$341,500	\$32.40	\$419,053	\$555,029
F3 095000	0.52	22,825	2,060	\$148,000	\$162,700	\$310,700	\$78.98	\$869,093	\$1,229,639
F3 097000	0.81	35,089	4,920	\$124,200	\$294,500	\$418,700	\$59.86	\$964,339	\$1,384,409
F3 098000	8.3	361,823	105,126	\$1,099,100	\$2,750,800	\$3,849,900	\$26.17	\$4,886,185	\$6,779,727
F3 102000	1.03	44,867	1,710	\$156,600	\$59,400	\$216,000	\$34.74	\$780,012	\$1,091,719
F3 103000	1.06	46,174	6,628	\$165,800	\$301,400	\$467,200	\$45.47	\$1,005,682	\$1,425,623
F3 105000	0.58	25,265	1,248	\$198,900	\$167,500	\$366,400	\$134.21	\$1,555,263	\$2,233,445
F3 106000	0.24	10,389	0	\$95,100	\$38,300	\$133,400	\$39.54	\$259,412	\$341,569
F3 107000	0.09	4,061	0	\$6,300	\$0	\$6,300	\$39.54	\$70,529	\$102,643
F3 108000	1.72	74,872	27,095	\$439,700	\$978,500	\$1,418,200	\$36.11	\$1,521,261	\$2,062,042
F3 113000	0.34	14,794	3,617	\$144,500	\$79,200	\$223,700	\$21.90	\$274,075	\$338,863
F3 116000	6.41	279,219	68,404	\$1,028,500	\$2,145,100	\$3,173,600	\$31.36	\$4,530,942	\$6,282,164
F3 117000	0.32	14,000	1,612	\$144,100	\$81,700	\$225,800	\$50.68	\$427,921	\$569,832
F3 118000	1.24	54,014	7,582	\$158,200	\$160,100	\$318,300	\$21.12	\$614,420	\$842,529
F3 118001	5.3	230,868	1,916	\$188,700	\$262,700	\$451,400	\$137.11	\$12,850,292	\$19,181,087
F3 121000	1.18	51,401	14,864	\$184,500	\$246,100	\$430,600	\$16.56	\$524,914	\$695,121
F3 121001	0.81	35,370	3,770	\$153,500	\$91,900	\$245,400	\$24.38	\$498,381	\$670,821
F3 121002	0.39	17,164	0	\$116,400	\$0	\$116,400	\$0.00	\$116,400	\$116,400
F3 127000	1.06	46,174	1,576	\$164,200	\$105,000	\$269,200	\$66.62	\$1,394,725	\$2,009,988
F3 128000	1.32	57,499	6,884	\$158,800	\$156,600	\$315,400	\$22.75	\$682,006	\$943,609
F3 134000	1.3	56,628	4,398	\$157,900	\$157,000	\$314,900	\$35.70	\$966,504	\$1,370,805
<b>Totals</b>		<b>1,834,296</b>	<b>321,278</b>	<b>\$6,454,400</b>	<b>\$10,594,400</b>	<b>\$17,048,800</b>		<b>\$42,422,460</b>	<b>\$60,406,491</b>
Annual Property Tax Revenues									
Existing		\$312,164							
.4 FAR		\$776,755							
.6 FAR		\$1,106,043							
Other Revenues (one time only)									
*Infrastructure contribution @ .4			\$753,753						
*Infrastructure contribution @ .6			\$1,670,900						
* current bylaw requires contribution for sewer only, needs to be modified									
							Acronym Legend		
							DSA		
							developable site area		
							NR_FA		
							existing non-residential floor area		
							NR_BO 2,4,.6		
							buildout floor area at .2, .4, .6		
							Value/S.F.		
							(Estimated values are based on building value divided by sq. ft.)		

1/22/99

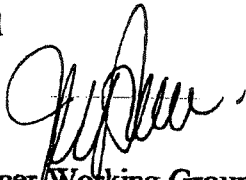
**Cost of Capital Improvements**

FAR	Cost of Improvement	Breakdown of Costs			
.2 FAR	\$33,000			\$30,000	signal upgrade
				\$3,000	lane markings
				\$33,000	
.4 FAR	\$197,500			\$95,000	signal for intersection of private road at Route 27
				\$95,000	signal for intersection of private road at Route 111
				\$7,500	construct sidewalks on both sides of Route 27 and 111 @ \$10 per linear foot
				\$197,500	
.6 FAR	\$1,157,200			\$70,000	signal at Beverly Road & Route 27
				\$70,000	signal on Route 27 at Route 2 ramps
				\$70,000	signal at Route 111 and school access drive
				\$80,000	25% design cost for reconstruction and widening of Route 27/111 intersection improvement
				\$900,000	total cost, \$820,000 from federal/state funds
				\$50,000	new signal equipment for reconstructed intersection
				\$817,200	eminent domain takings for roadway widening*
				\$1,157,200	\$227,100 F-3/86-1 D'Agostine, Levine & Gordon
				\$366,400	F-3/105 Sunoco
				\$223,700	F-3/113 Meineke
				\$817,200	* 100% of assessed property value
	Total Capital Costs at Buildout			\$1,552,200	

- + u L

## MEMORANDUM

TO Chuck Olmstead  
Roland Bartl

FROM John Pavan 

CC Kelley's Corner/Working Group  
Economic Development Committee

RE Economic Development Potential  
Kelley's Corner

DATE December 17, 1998

The Group met tonight on a version of the attached spreadsheet. The goal of the analysis is to identify a "target" buildout for Kelley's Corner. This will be based on the appropriate economic development level it should carry with respect to the rest of Acton. When this level is agreed, among other things, the buildout corresponding to that level will be tested against the other criteria for the Kelley's Corner area (aesthetics/town character, circulation/ traffic, environmental protection and wastewater management).

We agreed that you could each be helpful in reviewing the attached and providing responses at our next meeting on January 6, 1999.

1. The calculated Average Assessed Value for C/I/P in 1999 is based on dividing the C/I/P valuation by the existing Non-Residential SF from the Master Plan Update, which seems appropriate. Is this starting point reasonable? What is a reasonable growth factor for estimating this value in future years? Please keep in mind that much of the economic development going forward will be by new construction or renovation which would presumably be at higher values. **CHUCK**
2. The Master Plan Update has a stated goal of achieving a C/I/P valuation at 20% of the total valuation in 5 years. This analysis shows that 5 years may be too aggressive (spike in growth is too abrupt in this period). The analysis also shows it remaining constant at 20%. The 20% goal was based on the current levels in some nearby towns. Is it reasonable? Can or will it remain static as shown or should we project it differently in the future? **CHUCK**
3. The annual growth rate of the residential evaluation is 2.50%, straight-lined over 20 years. Is this reasonable? **CHUCK AND ROLAND**
4. In order to estimate the portion of the townwide C/I/P growth needed that Kelley's Corner might bear, Table 71 of the Master Plan Update was used. The last column shows full additional buildout of Kelley's Corner zoning district (561,902SF) being approximately 15% of the total additional buildout (3,683,346SF). The Kelley's Corner planning area includes the OP-2 district as well. Is there a better way to determine what percentage Kelley's Corner should "budget" for? Does this evaluation

Period Year	Year 0 1999	Year 5 2004	Year 10 2009	Year 15 2014	Year 20 2019
<b>TAX BASE</b>					
Residential	\$1,539,769,500	\$1,742,107,858	\$1,971,035,139	\$2,230,045,344	\$2,523,091,617
Commercial	\$156,382,100	\$2,177,634,823	\$2,463,793,923	\$2,787,556,680	\$3,153,864,521
Industrial	\$71,371,900	\$435,526,965	\$492,758,785	\$557,511,336	\$630,772,904
Personal	\$33,973,719				
Total	\$1,801,497,219				
Residential (1)	\$1,539,769,500				
Inferred Total (2)	N/A				
C/I/P Goal	\$261,727,719				
<b>ECONOMIC DEVELOPMENT</b>					
Non-Residential SF (3)	4,700,494	7,084,480	7,259,830	7,439,520	7,623,657
Average Assessed Value/SF (4)	\$55.68	\$61.48	\$67.87	\$74.94	\$82.74

	1999-2004	1999-2009	1999-2014	1999-2019
<b>INCREASES IN C/I/P BASE</b>				
Townwide				
Total for Period	2,383,986	2,559,336	2,739,026	2,923,163
Annual Average	476,797	255,934	182,602	194,878
<b>Kelley's Corner (5)</b>				
Total for Period	357,598	383,900	410,854	438,475
Annual Average	71,520	38,390	27,390	29,232

- (1) 1999 is for FY1999. Future represents annual growth rate of 2.50%
- (2) Based on established target of 20% C/I/P
- (3) 1999 is for FY1999. Future is based on achieving the target C/I/P at a calculated value/SF.
- (4) 1999 is based on C/I/P and existing SF. Future is calculated at an annual rate of 2.00%
- (5) Assumes 15% proportionate share of total buildout based on Master Plan Update Table 71.

PROPERTY CLASS	(F) REVAL/INTERIM YR		(G) G = E +/- F		(H) FY94 PROPOSED VALUATION	(I) I = H - G NEW GROWTH VALUATION	(J) PRIOR YR TAX RATE	(K) K = I/1000 x J LEVY GROWTH	
	+/- ADJUSTMENTS %	\$	TOTAL ADJUSTED VALUE BASE						
RESIDENTIAL									
101	0.35%	3,236,369		916,080,469	929,098,300	13,017,831	16.88		219,741
102	-9.59%	(12,104,855)		114,071,500	116,312,600	2,241,100	16.88		37,830
104-105	4.19%	817,000		20,302,000	20,302,000	0			
111-125	-8.58%	(2,618,715)		27,901,400	27,901,400	0			
130-132 & 106	-9.53%	(3,129,914)		29,708,286	34,434,000	4,725,714	16.88		79,770
All Others	-1.70%	(529,200)		30,602,000	30,602,000	0			
TOTAL RES.	-1.24%	(14,329,315)		1,138,665,655	1,158,650,300	19,984,645	16.88		337,341
OPEN SPACE		0		0		0			0
COMMERCIAL	-12.53%	(23,234,400)		162,171,200	164,526,100	2,354,900			
61,61A,61B	-15.07%	(98,621)		555,894	555,894	0			
TOTAL COMM.	-12.54%	(23,333,021)		162,727,094	165,081,994	2,354,900	18.51		43,589
INDUSTRIAL	-10.70%	(8,452,100)		70,575,500	70,575,500	0			0
PERS. PROPERTY					23,599,923	1,542,611	18.51		28,554
TOTAL					1,417,907,717	23,882,156	18.51		409,484

LA-13 FY94

*Ronald R. R. R.*  
*Robert C. Adams*

November 8, 1993

ASSESSORS SIGNATURE

DATE



PROPERTY CLASS	(F) REVAL/INTERIM YR		(G) G = E +/- F		(H) FY96 PROPOSED VALUATION		(I) I = H - G NEW GROWTH VALUATION		(J) PRIOR YR TAX RATE	(K) K = I / 1000 x J LEVY GROWTH	
	+/- ADJUSTMENTS %	\$	TOTAL ADJUSTED VALUE BASE								
RESIDENTIAL											
101	2.32%	22,930,450	1,010,383,000		1,033,721,700		23,338,700				
102	0.36%	435,600	122,326,100		129,390,200		7,064,100				
104-105	0.00%	0	20,911,600		20,911,600		0				
111-125	0.00%	0	26,541,900		26,541,900		0				
130-132 & 106	4.17%	1,022,900	25,544,700		29,987,100		4,442,400				
All Others	0.00%		30,924,300		30,924,300		0				
TOTAL RES.	2.01%	24,388,950	1,236,631,600		1,271,476,800		34,845,200		18.29		637,319
OPEN SPACE			0		0		0				0
COMMERCIAL											
61,61A,61B	0.53%	3,036	141,204,800		143,694,400		2,489,600				
TOTAL COMM.	0.00%	3,036	571,021		571,021		0				
INDUSTRIAL	0.00%		141,775,821		144,265,421		2,489,600		20.52		51,087
PERS. PROPERTY			63,869,100		63,900,200		31,100		20.52		638
TOTAL					23,426,409		915,939		20.52		18,795
					1,503,068,830		38,281,839				707,839

LA-13 FY96

ASSESSORS SIGNATURE

DATE

11/6/95

Town of Acton  
Fiscal 1998

LA 13

	A	B	C	D	E	F	G	H	I	J	K
	FY '97 LA-4	97 Revised /	Abatement	Other Adj.	FY '97 Adj	+ or - Reval	Total Adj	FY '98 Proposed	New Growth	Prior year	Tax Levy
	(As committed No.	Omitted Values	Values	No.	Value Base	Adjustments	Value Base	Values	Valuation	Tax Rate	Growth
Single Family	101	32	-489,600	1	1,057,813,600	115,808,200	1,173,621,800	1,187,778,400	14,156,600		
Condominium	102	8	-83,100		181,810,100	12,474,900	174,285,000	198,386,900	22,101,900		
2 & 3 Family	104 & 105				21,028,900	1,678,800	22,707,700	22,717,800	9,900		
Multi-Family	111 - 125	1	-113,300	1	28,600,100	5,198,700	31,799,800	31,800,800	800		
Vacant Land	130 - 132 & 106	4	-70,700	1	26,986,300	-5,805,100	21,380,200	23,115,700	1,735,500		
Other Residential	103, 107 to 109, 140 to 149 & 010 to 014				30,916,100	-10,860,500	20,025,600	20,025,600	0		
TOTAL RESIDENTIAL	1,328,462,900	45	-736,700	3	1,325,154,100	118,686,000	1,443,820,100	1,481,824,800	38,004,700	19.02	722,649.35
Commercial	142,728,600	4	-203,700	4	141,755,100	11,671,700	153,426,800	154,588,500	1,172,700		
Chapter Lands	653,342	1	-900	1	661,642	-16,442	645,200	645,200	0		
TOTAL COMMERCIAL	143,381,942	5	-204,600	5	142,416,742	11,655,258	154,072,000	155,244,700	1,172,700	19.02	22,304.71
Industrial	64,783,000	4	-1,058,000	1	62,898,600	6,071,200	68,969,800	71,647,000	2,677,200	19.02	50,920.3
Personal Property	30,984,448							34,207,058	3,840,474	19.02	73,045.8
TOTAL REAL & PERSONAL	1,585,812,290							1,742,923,558	45,695,074		869,120.3

*Deputy De Bear*  
*12/1/97*  
*if added to total*

In conversation with Daryl in the assessor's office re: what drives commercial assessments. He mentioned that commercial buildings are depreciated 2% per year for 15 years. He also noted that new construction would have about a 10% added value in assessment over an older building. With the magnitude of the additional build out needed in K.C. corner to meet projected revenue needs, we are probably looking at whole sale new construction, given the opportunity. I looked at 2 quadrants in K.C. to correlate new construction revenue streams to FAR projected revenue.

## South East Quad

	FAR	Revenue	New revenue (1)
actual	0.06	\$47,560	\$67,943
	0.2	\$151,951 (2)	\$217,072
	0.4	\$290,689 (2)	\$415,270
	0.6	\$435,267 (2)	This revenue + 10% added value (456,797) is comparable to .6

## South West Quad

	FAR	Revenue	New revenue (1)	
actual	0.21	70618	100882	
	0.4	187931 (2)	268473	This revenue + 10% added value (295,320) comparable to FAR
	0.6	281897 (2)		

note 1 - assume new construction -same usage

note 2 - data taken from buildout revenue estimates for K.C. planning dept dated 4/98

Kelley Corner Work Group

Growth Projections

Tax Base	Year 0	year 5	year 10	year 15	year 20
residential	1,539,769,500	85.5%			
commercial	156,382,100	8.7%			
industrial	71,371,900	4.0%			
personal	33,973,719	1.9%			
total	1,801,497,219	100.0%			
residential		\$1,742,107,858	\$1,971,035,139	\$2,230,045,344	\$2,523,091,617
inferred total		\$2,177,634,823	\$2,463,793,923	\$2,787,556,680	\$3,153,864,521
C/I/P goal	\$261,727,719 actual	\$435,526,965 20%	\$492,758,784 20%	\$557,511,336 20%	\$630,772,904 20%
economic development					
non-residential sf target	4,700,494 actual	7,084,480 50.7%	7,259,830 2.5%	7,439,520 2.5%	7,623,657 2.5%
average assessed value/sf	\$55.68	\$61.48	\$67.87	\$74.94	\$82.74
INCREASE IN CIP BASE					
townwide accumulative sq ft		2,383,986	2,559,336	2,739,026	2,923,163
annual average (sq ft)		476,797	255,934	182,602	194,878
Kelley's corner portion (assumes 15% of total build out)					
Total for period accumulative sq ft		357,598	383,900	410,854	438,475
annual average sq ft		71,520	38,390	27,390	29,232

(1) % growth rate over prior 5 year period

Kelley Corner Work Group	Growth Projections				
	Year 0	year 5	year 10	year 15	year 20
Tax Base					
residential	\$1,539,769,500	85.5%			
commercial	\$156,382,100	8.7%			
industrial	\$71,371,900	4.0%			
personal	\$33,973,719	1.9%			
total	\$1,801,497,219	100.0%			
residential	\$1,539,769,500	\$1,742,107,858	\$1,971,035,139	\$2,230,045,344	\$2,523,091,617
inferred total		\$2,177,634,823	\$2,463,793,923	\$2,787,556,680	\$3,153,864,521
C//P goal	\$261,727,719 actual	\$435,526,965 20%	\$492,758,784 20%	\$557,511,336 20%	\$630,772,904 20%
Goal: in 20 years we have to increase CIP revenue from \$261,727,719 to \$630,772,904					
Assumption: we plan CIP growth in a linear fashion					
Then we need \$92,261,296 per 5 year period					
C//P revenue goal	\$261,727,719 actual	\$353,989,015 35.3%	\$446,250,312 26.1%	\$538,511,608 20.7%	\$630,772,904 17.1%
non res target (sq ft)	4,700,494	5,757,791.40	6,575,074.58	7,185,903.49	7,623,554.56
ave assessed value/sq ft	55.68	61.48	67.87	74.94	82.74
INCREASES IS CIP BASE					
Town wide					
non-residential sf target		1,057,297	1,874,581	2,485,409	2,923,061
Kelley's corner portion (assumes 15% of total build out)					
K.C. portion of build out accum		158,595	281,187	372,811	438,459

Southeast and Southwest Quad represent 51% of K.C. total area  
 based on Panning Dept buildout/ revenue dated 4/98

233,615 of add'l sq ft required in year 20

South west Quad	existing sq ft	add FAR .4	total at FAR .4
Southeast quad	81816	59646	141462
Total sq ft	44233	109410	153643
			295105

South west Quad	existing sq ft	add FAR .2	total at FAR .2
Southeast quad	81816	6816	88632
Total sq ft	44233	75657	119890
			208522

These numbers would suggest that an FAR of slightly over .2 for K.C. area would meet CIP growth goals.

**Appendix D**

**TAC Memorandum**

# Memorandum

TO: Richard Crosswell  
Chairman, Kelley's Corner Working Group

FROM: Transportation Advisory Committee TAC

C: Acton Board of Selectmen

DATE: May 19, 1999

RE: Review of the *Kelley's Corner Business District Final Circulation Plan*

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At your request the Transportation Advisory Committee has reviewed the *Kelley's Corner Business District Final Circulation Plan*, prepared by Howard/Stein-Hudson Associates, Inc., dated February 28, 1997. This plan was prepared to focus on a more detailed analysis of Kelley's Corner and its immediate surroundings, as a result of the designation of Kelley's Corner as a concentrated growth center in the *Town of Acton 1991 Master Plan*, and proposed rezoning of Kelley's Corner based on the *1995 Specific Area Plan*.

Based on a review of the plan, the Transportation Advisory Committee voted on May 11, 1999 that the *Kelley's Corner Business District Final Circulation Plan* adequately addresses the transportation and circulation requirements necessary to redevelop Kelley's Corner, noting that there are implications as described in the plan that should be considered as the plan is implemented. A summary of the TAC review is as follows.

## Background and Objectives

The main goal of the plan is "to provide a circulation plan that will accommodate projected growth while furthering the urban village character." This goal appears to be consistent with the Town's vision for Kelley's Corner, which emphasizes pedestrian circulation and amenities while maintaining reasonable vehicular capacities. The plan also presents 12 objectives that support the main goal of the plan.

## Evaluation of Existing Conditions

A detailed evaluation of existing roadway and traffic conditions, including non-motorized traffic such as bicycles and pedestrians, was conducted within the Kelley's Corner area. This effort was primarily focused around the Route 27/Route 111 intersection, and included some information at the Route 2/Route 27 interchange. Traffic conditions for weekday commuter peaks and the Saturday midday peak were evaluated. Origin and destination travel characteristics were



determined based on a license plate survey and shopper questionnaire. The traffic analysis confirmed the peak hour Level of Service (LOS) F (congested conditions) that occurs at the Route 27/Route 111 intersection, and the diversionary traffic patterns that are used to avoid the congestion.

The plan indicates that existing parking is adequate to serve the existing development within Kelley's Corner.

### **2010 No-Build (without KC redevelopment) and Build (with KC redevelopment and no roadway improvements) Conditions**

Background traffic growth was projected based on recent traffic growth trends, and population and employment forecasts developed by the Metropolitan Area Planning Council. A total traffic growth factor of 10 percent was used to estimate 2010 peak hour conditions. This factor does not specifically address sub-regional trends resulting from major employers such as Digital Equipment Corporation in Maynard, but appears to be a reasonable estimate considering the overall effect of economic activity on traffic volumes. The no-build analysis (without significant development at Kelley's Corner) demonstrates a continued LOS F with an average increase of vehicle queue lengths of 27% during the weekday peaks and 35% on the Saturday peak at the intersection of Routes 27 and 111.

For the 2010 build condition, analysis of a Kelley's Corner buildout to a FAR of 0.4 (existing zoning) and 0.6 was undertaken. Due to increased needs for roadway improvements, the buildout was capped at a FAR of 0.6. The total buildout at a FAR of 0.6 includes 146,000 sf retail, 657,000 sf office, and 30 residential units for analysis purposes. This represents one possible traffic generation scenario. The analysis of build conditions (FAR 0.4 or 0.6) shows that the existing intersection configuration of Route 27 and Route 111 would continue to operate at LOS F with substantially greater queues than the no-build condition.

### **Circulation Plan and Phasing (with KC redevelopment and roadway improvements)**

The circulation plan was developed based on the motorized and non-motorized transportation needs in Kelley's Corner. Widening Routes 27 and 111 to four-lanes was considered to be the maximum acceptable expansion of the intersection. Although the specific intersection measures of effectiveness (level of service, intersection capacity used, and queuing) are not clearly presented for all options in the report, a review of the analysis contained in the associated appendices indicates that widening of the intersection of Routes 27 and 111 to four lanes will accommodate traffic associated with an FAR of approximately 0.5 to 0.6, depending on whether left-turns are restricted at the intersection. It would be helpful if the consultant could provide a tabulation of the measures of effectiveness for each of the options discussed in the report.

Figure 18 in the plan provides a conceptual design of the Route 27/111 intersection, which includes roadway lane widths between 11 and 13-feet, and seemingly large, or gradual, corner radii that tend to lengthen the pedestrian crossings. Based on our review of this concept, we would recommend that lane widths be minimized to approximately 11-foot maximum to achieve some traffic calming, and that the corner radii be reduced to shorten pedestrian crossings where

possible. Figures 20 and 21 show conceptual designs at the private road intersections with Route 27 and Route 111. It seems reasonable that improvements at these intersections will be required to match with Route 27/111 intersection improvements.

Figure 22 provides a conceptual plan of the urban village. It is our understanding that this concept is not mandated by the plan but serves as a guidance to future development. It appears that the overall plan meets the project objectives by providing buildings on the street with off-street parking in back. Proposed village streets will help to distribute traffic to the various destinations in and around Kelley's Corner. Some concerns have been raised about the intersection of the village street and Beverly Road and the possibility for increased traffic in the Beverly Road neighborhood. As development proceeds in Kelley's Corner, and elements of the circulation plan are implemented, detailed design alternatives should be developed for this intersection to prevent increased traffic in the neighborhood.

Based on available land within the KC district, the plan estimates that at-grade parking will be possible to support a FAR of 0.5 to 0.6. This does not include structured parking.

There is some discussion of phasing of KC circulation plan improvements, however, it is recognized that phasing will largely be driven by the sequence of development, available funding, and the packaging of individual transportation improvements. We would recommend that as improvements to the district are implemented, transportation elements be evaluated with specific development proposals.

**Appendix E**

**Revised Table of Uses and Staff Comments**

6-10-78

[REDACTED]

Change to yes. w) max heating cap  
Question why. It should be SPS  
No or limit dwelling units to 1-BR.  
Why should the be SPS. Yes?  
OK

# ACTON PLANNING DEPARTMENT

## Inter-departmental Memo

264-9636

**To:** Kelley's Corner Working Group

**Date:** 4/9/99

**From:** Donna Jacobs, Assistant Planner *D. Jacobs*

**Subject:** Land Uses and Business Sizes

### Land Uses

As requested, I have reviewed the changes to the Table of Principal Uses proposed at the March 11, 1999 Working Group meeting and have the following comments and suggestions.

3.2.1	Agriculture	Even if the Town changes from Y or N, it is important to know that this use is allowed by state law in all zoning districts on parcels of 5 or more acres.
3.2.4	Recreation	It is important to note that this is only non-commercial recreation (no fees charged). The Town may not want to preclude the use of a parcel for park purposes.
3.3.4	Multifamily Dwelling	The R-AA District was created in the Kelley's Corner Area to limit the amount of residential use within the business district. Multifamily dwellings are allowed in the R-AA district.
3.4.5	Public or Private Utility Facilities	These uses are exempt from zoning by state law (allowed in all non-residential districts)
3.5.4	Restaurants	A change to Y would eliminate the Town's option to say no (consider the "Hooters"-type restaurants). No special permit is required for a restaurant with 10 or less seats.
3.5.17 & 18	Motor Vehicle Service & repair	A change to N wouldn't eliminate the existing uses, merely make them non-conforming. Expansion would be allowed.
3.6.5	Heating Fuel Sales & Service	A change to N wouldn't eliminate the existing use, merely make it non-conforming. Expansion would be allowed.
3.6.6	Light Manufacturing	You may want to wait until the land uses are broadened as this is now a "catch-all" use which includes R&D (office with some assembly), printing, etc. that may want to locate in the KC District until they outgrow the 10,000 sq. ft. size limit. It could be an ideal place for incubator businesses that have outgrown their space in Acton residences.

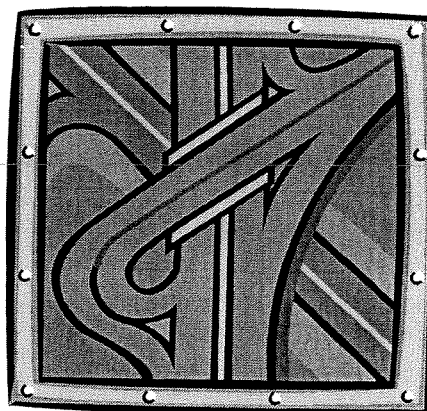
Generally speaking, there are no special criteria/ regulations for special permits. Exceptions have occurred recently, such as Wireless Communications Facilities, Full Service Retirement, and Assisted Living. The Working Group may want to consider recommending development of additional specialized regulations for certain uses.

### Existing Limitations on Building Size

The only limitation on building size is the floor area ratio. However, there are some limitations on the size of a business establishment such as light industrial. The loophole, if you will, is that you can have as many 10,000 sq. ft. businesses in one building as the floor area ratio will permit.

# **Overview of Kelley's Corner Working Group Report**

**Presentation to the Planning Board  
November 20, 2000**



# **History/Process**

- Master Plan
- Kelley's Corner Committee
- Kelley's Corner Plan
- 1996 Zoning Articles
- Circulation Plan
- 1998 Draft Articles
- Formation of Working Group
- Report

# **Tasks/Accomplishments**

- Reaffirmed goals of Kelley's Corner Plan
- Focus of Working Group on:
  - 1 Economic Development
  - 2 Traffic and Circulation
  - 3 Financial Impacts
- Met throughout 1998-1999



# Tasks/Accomplishments

- Developer Surveys
  - Fatal Flaw Criteria
  - Examined FAR Levels Elsewhere
  - Financial Analyses and Model Building
  - Traffic Impacts - TAC
  - Review of Permitted Uses
-

# Conclusions & Recommendations

- Planning be consistent with Kelley's Corner plan
- Importance of sewers
- Significance of financial impacts
- Traffic-development tradeoffs
- Pedestrian-friendly
- Remove Beverly Road tie-in
- Quadrant by quadrant approach

*FIAR - check & zoning limits in Lex, W.L., Conc.*

# Conclusions & Recommendations

- Consider mixed use development and TDRs
- Reevaluate uses ✓
- Utilities buried, screening of noise, visual effects
- Lighting restrictions
- Change sign by-law
- Limit hours of operation
- Tax incentives do NOT work

# Unresolved Issues

- The Working Group was unable to reach agreement on certain issues:
  - Set of incentives necessary to attract development, e.g., FAR levels or other incentives
  - Role of EDC and “Marketing Plan”